The Outlook

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THE BECKER CASE

One year ago last October Lieutenant Charles Becker, of the New York police force, was found guilty by a jury in the city of New York as an accomplice or accessory before and after the fact of the murder of a criminal gambler by the name of Rosenthal. In a graft investigation of the New York police force Rosenthal had promised District Attorney Whitman to testify against Becker and other officers "higher up." The night following this promise Rosenthal was murdered in front of a hotel on Broadway in the "Tenderloin" district by a group of "gunmen" who had driven up to the hotel in a high-powered automobile. Justice John W. Goff was the trial Judge. The direct testimony was chiefly that of criminal accomplices of the "gunmen" and of the "gunmen" themselves, although their testimony was corroborated by a chain of circumstantial evidence. Becker was sentenced to be electrocuted in December, 1912. His case was appealed, and last week the Court of Appeals of the State of New York, by a vote of six to one, handed down a decision granting Becker a new trial.

In the prevailing opinion Justice Hiscock not only condemns the rulings of Judge Goff, but condemns the jury for accepting as credible testimony the words of witnesses which he says are incredible. The Court of Appeals thus constitutes itself a judge not merely of technicalities or ritual or ceremony or forms of an important criminal case, but of the facts with regard to which the English law treats the jury as the supreme authority. There is a reason in psychology for making the jury supreme. A juryman is guided in his decision not merely by the statements of a witness, but by his personal bearing upon the witness-stand—by the expression of his face, the intonation of his voice, the look in his eye. These physiological considerations have a great bearing in determining the character and truthfulness of a testifying witness. None of these elements could possibly have entered, of course, into the consideration of the printed testimony by the Court of Appeals. In his dissenting opinion Justice Werner, who is a conservative upholder of judicial authority, asserts that his six colleagues have usurped to themselves the rights and functions of a jury. He says:

> It is true that the main witnesses for the prosecution were gamblers, criminals, degenerates, and murderers, as they are denominated in the prevailing opinion, but that goes to their credibility and the weight of their evidence. It does not authorize the Court to invade the province of the jury.

The almost unanimous feeling in New York City, outside of the corrupt and criminal classes, is one of regret that the Court of Appeals should have felt compelled to take the view it has of the Becker case. At the same time the public has respectfully bowed to the decision of the Court of Appeals, as it ought to do. When six judges of high personal and professional character in a high court of the State unite in forming an opinion, that opinion should be respected. But it does not prevent the public from feeling that there should be some kind of reform in our criminal judicial procedure. A year and a half is too long a time to elapse between a murder and the practical acquittal of the alleged murderer. Something should be done to differentiate more clearly the functions of the judge and of the jury. We think the New York "Times," a stanch defender of the courts against what it alleges to be the danger of the reforms which some of us have asked for, is right when it says: "The courts have fumbled the Becker case, and it is a monstrous scandal. It is a scandal if he was wrongfully convicted; it is a scandal if he is guilty."

THE FRANK CASE

A case involving defects in criminal procedure which are almost opposite in character to those shown by the Becker case has recently been decided in Georgia.

A young man, Leo M. Frank, who was

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convicted of murder last August, has been denied by the Supreme Court of Georgia the chance for a new trial.

It is declared that when he was tried certain newspapers of Atlanta, the city in which the trial took place, aroused by their stories popular animosity against the prisoner; that the court-room was filled with a crowd hostile to the prisoner; that the jurors had to pass to and fro through the angry throng. The editors of the very newspapers, we are informed, that had been trying the case in their columns so dreaded the consequences of popular excitement that they joined in a petition to the trial judge not to let the case go to the jury on a Saturday because of the possibility of violence if the verdict was brought in on a half-holiday.

The trial judge, in declining to grant a new trial, said that he himself was not certain whether the prisoner was guilty or innocent. From a number of citizens of Atlanta whose judgment we trust we have asked for information as to the facts. From the answers we have received we think the following statements may be regarded as trustworthy:

1. The rumor that the popular hostility to the prisoner was due to the fact that he is a Jew seems to have little, if any, foundation.

2. The intensity of the hostility to the prisoner seems to be wholly explained by the fact that the victim of the murder was a working-girl, and the accused was a factory manager. The working people of this industrial city, being convinced by newspaper reports of the truth of the accusation, felt the peculiar atrocity of a crime through which a girl meets death in defending her honor against her "boss."

3. In the court-room and in the street outside the "mob spirit," as one correspondent calls it, the "bitter hostility," as another calls it, the "prejudice," as another calls it, the "public sentiment that made justice impossible," as still another calls it, was dominating. The crowd on some occasions cheered the prosecuting attorney when he appeared, and on other occasions carried him on their shoulders. The polling of the jury was accompanied with cheers. Whatever the cause of this spirit—whether class feeling, race feeling, or disapproval of the methods of the prisoner's lawyers—its dominating presence in and about the court-room seems to be undeniable. The mere fact that the judge approved the procedure of leaving the prisoner in jail when the jury brought in their verdict is on its face an indication of the extent to which the spirit of popular animosity toward the prisoner prevailed in the court-room.

4. Wholly apart from the conduct of the case in the court-room, which was such as to raise grave doubts in the minds of several correspondents, the methods employed by the police and the detectives are reported to us as being contrary to the spirit of fairness.

We do not propose to go into the evidence, or try the case over again. That would be to fall into the error into which the local newspapers were allowed to sink. We do not even report the points made by our correspondents which lead several of them to think the evidence far from conclusive. We do believe, however, that if these facts are true, it is a matter of public duty to call attention to the danger of any such method of criminal procedure. Lynching outside of the court-room, whether the victim be guilty or innocent, is bad enough; but anything which permits the lynching spirit to find the least entrance into the court-room is even worse.

If the courts cannot take cognizance of such conditions, what are the people of the State going to do about it?

THE BENTON MYSTERY IN MEXICO

The mystery of the execution or murder in Juarez of the British subject William S. Benton was the center of last week's discussion of Mexican affairs. That Great Britain and the United States are determined that the matter shall be cleared up beyond doubt is evident. The British Foreign Office has acted with the greatest restraint and moderation, has shown every disposition to allow our Government to take the lead in dealing with Villa, and has fully recognized the difficulties involved. But that Great Britain will be insistent upon full explanations, and, if justice requires it, upon reparation, is clearly indicated in the references to the matter in Parliament, and is in line with Great Britain's traditional policy. It is the recognition of this that has made the incident, as is pointed out in an editorial elsewhere in this issue of The Outlook, assume the proportions of a serious international question.

Sir Edward Grey, the British Foreign Secretary, in explaining in the House of Commons why his Government was acting through communications to the United States Gov-

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ernment, said that it was "because the United States alone can in those circumstances exercise any influence to discover the truth and get justice done. Juarez is close to the United States frontier, and we have ourselves no means of exercising influence in those regions under existing circumstances." The attitude of the British people and press is reflected by the comment of the London "Times:"

Americans have taken the murder of a number of their own citizens so quietly that many of them do not seem to understand our indignation over the death of Benton. One thing only will satisfy us, and that is a complete, searching examination into the deed and the exemplary punishment, as soon as punishment is possible, of all who may be answerable for our countryman's blood. We shall be surprised and grieved if all that is best in the United States does not recognize the justice of that resolve.

THE CAUSES FOR SUSPICION

Villa's own defense for the killing of Benton is regarded here and abroad with grave suspicion; and the secrecy, mystery, and concealment which preceded Villa's statement justify that suspicion. Benton, according to Villa's statement, was tried by court martial on February 17, and the formal report of this court martial, which has been made public in full, gives the names of the judges and of witnesses who testified that they heard Benton defy and vilify Villa and saw Benton attempt to draw a pistol. But this *procès-verbal* was made public only on February 21, four days after Benton was killed, and until that time Villa's officials professed ignorance of the whole matter. The policy of concealment was kept up to the last possible minute; and until February 27 Benton's relatives and our Government were not even allowed to know where Benton was buried. Villa on that date gave his consent to the disinterment and examination of Benton's body at Chihuahua, where, it was then announced, Benton was buried, although he was killed in Juarez. The delay is believed by many to be due to the hope that natural decay (which goes on rapidly in the Mexican soil and climate) would make it impossible to judge of the way in which Benton met his death. In many ways the affair has dark and sinister aspects.

THE NEED OF ACTION

There has been some discussion of a proposal to send United States troops into the disturbed region to protect life, as was done by the allies in China at the time of the Boxer rebellion, but it is semi-officially stated that the President considers that this would be an act of war admissible only in the last resort.

Meanwhile, apart from the Benton case, Villa's conduct and that of other insurgent or bandit leaders is exciting grave apprehensions of trouble. One American, named Bauch, has disappeared, and Villa denies any knowledge of him; another, a Texan and American citizen, named Vergara, has been enticed across the boundary and hanged by Mexicans; several other Americans are missing; the charge that Castillo, now in American custody, caused a train containing several Americans and many others to be burned in a tunnel has not yet been investigated. In short, our Government is confronted with the prime necessity of protecting American and foreign life and property, and of punishing crimes against them, in a territory harrowed with guerrilla warfare and by bandit forces. It cannot appeal to Huerta, for he has no actual power in the district involved, and his authority is not recognized by the United States; it is doubtful whether Carranza has much or any control over Villa; while Villa himself is an ex-bandit and is under serious accusation. How to act without using military force is a hard problem; not to act at all is becoming rapidly impossible.

WOMEN VOTE IN ILLINOIS

A glance at the map on the next page will show that the relation of the State of Illinois to woman suffrage is unique among the forty-eight States. It is the only State in the Union which thinks women can be trusted to vote for the President of the United States or the Mayor of the second largest city of the United States, while they cannot be trusted to vote for the Governor, members of the Legislature, or other State officers. Last week Tuesday a primary election was held in Illinois for the nomination of candidates for municipal offices to be voted upon at the coming spring election. This primary election affords the first opportunity of forming some judgment as to how deeply interested the women of Illinois are in their new suffrage rights. Both the Chicago and the New York daily newspapers agree in stating that only about one-third of the women who were qualified to vote cast ballots. The interpretation of this fact, however, varies considerably, apparently in accordance with the per-

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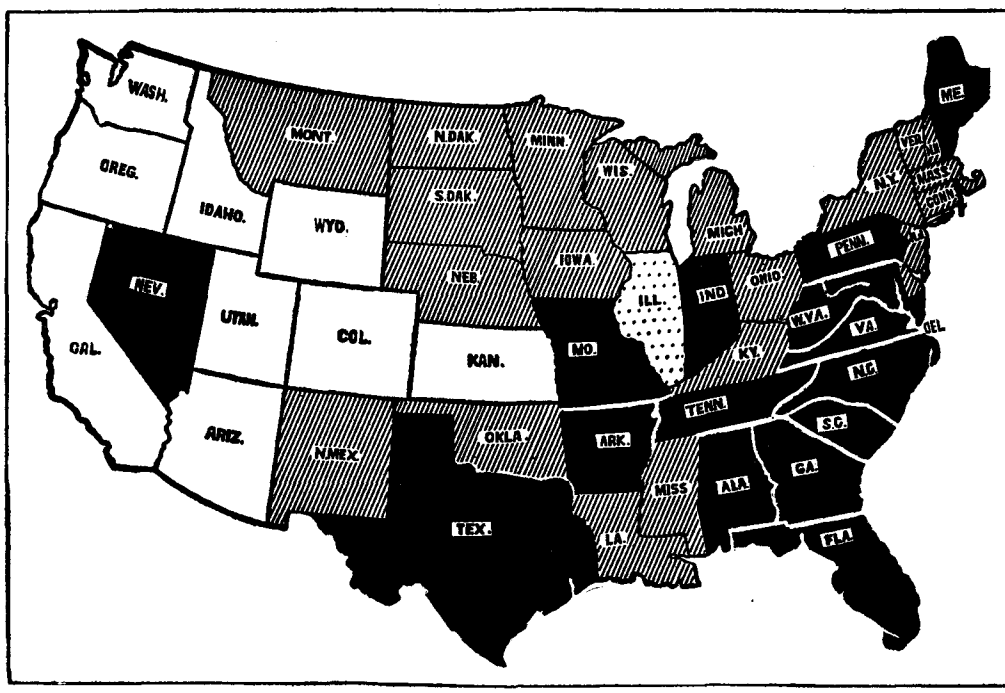

FROM THE NEW YORK EVENING POST

THIS MAP SHOWS THE RELATION OF THE SEPARATE STATES TO WOMAN SUFFRAGE. WHITE, FULL SUFFRAGE; SHADED, BOND, SCHOOL AND TAX-PAYING SUFFRAGE; DOTTED, PARTIAL SUFFRAGE; BLACK, NO WOMAN'S VOTE OF ANY KIND

sonal feeling of the reporter or the editor. The New York "Times," for example, says that the women played an important part in the Chicago election, while the New York "Sun" states that the women "cut no figure." No Chicago daily that we have seen comments editorially upon the election, although the Chicago "Tribune" says in its news headlines: "Women's Vote Helps Purge City Council." In order to get first-hand information, we telegraphed to Miss Jane Addams, of Hull House, First Vice-President of the National Suffrage Association, and to Mrs. George W. Kretzinger, a prominent leader in Chicago of the organized opposition to woman suffrage. Their telegraphed replies are as follows:

THE ANTI-SUFFRAGE VIEW

Chicago, Ill., Feb. 25. Over 47,000 women voted at the primaries in Chicago on Tuesday, being about thirty per cent of the number registered. At the same primary 126,916 men voted, being about thirty-four per cent of the number registered. The suffragists have a variety of excuses for the lightness of this vote. At first glance the proportion of women voting to those registered seems approximate to that of the men. But the large number of women registered seems due not wholly to the desire of 150,000 women for the franchise; it was partly due to the representations by newspapers and many people interested in good government that since the ballot has been thrust upon women it must be used. To my knowledge many anti-suffragists registered under this belief, but, discovering that the legality of woman suffrage had not been decided, they refrained from voting. The spectacle of women candidates distributing cigars and candy for votes has repelled many women as well as men. The "Daily News" remarks editorially: "Women are employing methods similar to those employed by the male of the species full many a year ago." Two of the women candidates retired from their unsuccessful contests with bitter accusations as to the dishonesty of women in politics, one declaring that the country would probably be better off if women did not have the ballot. But perhaps no more emphasis should be placed on the discontent of a disgruntled office-seeker

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than upon her enthusiasms; they may balance each other.

But we must remember that the privilege of voting was a most unwelcome surprise to Illinois women, that it was never submitted to them for decision. The suffragists, confessing that they would be defeated by any popular vote, put the measure quietly through the Legislature. It was their published boast that they had defeated eleven members of the present Legislature who had voted against suffrage. We must remember also the tremendous campaign of education given by a canvass brought to our very doors and the lack of organization among the quiet and thoughtful women who do not want the franchise. In view of all these facts, it seems that we, who rely upon the sober second thought of the men and women of Illinois, may be justified in saying that the smallness of this vote is its most representative feature.

C. W. KRETZINGER.

THE SUFFRAGE VIEW

Chicago, Ill., Feb. 25. Twenty-nine per cent of the women who registered and thirty per cent of the men who registered voted at the primary election last Tuesday. The slightly smaller per cent of women cannot be attributed to lack of interest, but rather to their desire to avoid the party declarations which the primary law requires of them. All discussions in the women's organizations during the past six weeks tended to confirm the belief that the women's vote would be non-partisan. Their vote in many wards manifested real independence of judgment. In some wards—notably two university wards where non-partisan candidates were in the field—this was shown by remaining away from the primary, only eight and eleven per cent respectively voting. In contrast, in the Fifth Ward, where there was a real contest against one of the old "gray wolves" of the Council who had long been opposed by the Municipal Voters' League, seventy-five per cent of the registered women voted. Similarly in the Eleventh Ward seventy per cent of the registered women voted. They defeated a man condemned by the Municipal Voters' League and backed by the united societies representing the liquor interests, when the men's vote would clearly have elected him. In the Eighth Ward candidates indorsed by the liquor interests and condemned by the Municipal League were defeated. In the Ninth Ward the candidates approved by the Municipal Voters' League were elected after a real contest, the women strengthening the better element. The women did not vote for women candidates just because they were women. In the eight wards in which there were women candidates the women's votes were widely distributed, two women candidates being defeated. In more than eight hundred precincts women served as judges and clerks of the election. More school-houses were used as polling-places than ever before, and good order and great quiet prevailed.

JANE ADDAMS.

A FREE SILVER ADVOCATE

Another "old-line" Senator has gone—Henry Moore Teller. In appearance and manner, as well as in influence, he belonged to the traditional Yankee type of which the late Senators Proctor and Cullom were examples.

To be sure, during the last few years Mr. Teller has not been in the United States Senate. But for more than thirty years he was there, and was always pointed out to visitors as a notable man because he had belonged to three political parties!

Mr. Teller was born in New York State eighty-three years ago. He taught school there. He then went to Illinois to live, and afterwards to what was then the Territory of Colorado. Frontier conditions prevailed. Denver had something more than a thousand inhabitants; now it has about three hundred thousand.

When, in 1876, Colorado became the so-called "Centennial State," one of the first two Senators elected was Mr. Teller. He had never held public office before. He served until 1882, when he entered President Arthur's Cabinet as Secretary of the Interior, an office he held until the close of the Arthur Administration in 1885. Colorado sent him to the Senate again and again.

In 1896 the Republican National Convention adopted a gold standard financial plank. Senator Teller had long been a free silver advocate; his philosophical principles had been increasingly accentuated by Colorado's material interests. Hence Mr. Teller "bolted." The event caused a sensation, for, next to Mr. Bryan, Senator Teller was the best-known apostle of the free silver doctrine. When the next Senatorial election occurred, Mr. Teller was re-elected, no longer as a

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"straight" Republican but as an independent Silver Republican. Six years later another re-election came to him, and this time he sat on the Democratic side of the Senate.

No matter what party he represented, Mr. Teller was a good example of American character as we often like to conceive it. He was a man of integrity, of simple, unostentatious life, of spontaneous sympathy and kindness for all his fellow-men, of keen intellect even if of mistaken judgments, and a sturdy supporter of the interests of the State which repeatedly honored him.

PIERPONT MORGAN, COLLECTOR

The Metropolitan Museum of Art in New York City has now opened to public inspection the collection gathered together by the late J. Pierpont Morgan. It consists of enamels, ivories, bronzes, wood-carving, glass, pottery, tapestries, furniture, miniatures, statuary, and paintings. While spoken of as "the Morgan Collection," it is only a part of the late Mr. Morgan's collections; in addition to what is now placed on view, the Museum holds much material given by Mr. Morgan—for instance, the large gallery of Chinese porcelains, the Hoentschel collection of mediæval works of art, the Merovingian and Germanic antiquities, etc. There are also the treasures in Mr. Morgan's library—that ideal example of architecture in East Thirty-sixth Street—books, manuscripts, prints, drawings, medals, as well as the works of art which adorn its walls and cabinets. As Dr. Robinson, the Director of the Metropolitan Museum, says: "Had such an assemblage represented the results of several generations of a family of collectors, it would have been a most remarkable achievement; but, formed as it was by one man, and the greater part during a comparatively short period of his life, it probably is without parallel in the history of collecting."

The Morgan collection now opened consists of between four and five thousand items. They occupy thirteen top-lighted galleries on three sides of an inner balcony—that is to say, they occupy the entire upper floor of the Museum's new north wing. Architecturally, this accommodation leaves nothing to be desired; it was carried out by the firm of McKim, Mead & White, the architects of the latest additions to the Museum.

At the private view preceding the public opening the expression was frequently heard from the art lovers whom the trustees had invited to the Museum: "Would that Mr. Morgan might see this arrangement of his works of art!" For the effort made by the Museum's staff is particularly admirable and creditable, and surely the one who would most have enjoyed their arrangement of these objects of art was their collector.

By his generous forethought, the humblest tyro in art may now have unprecedented pleasure and instruction at the Metropolitan Museum. In art education and appreciation the value of this exhibition to citizens of New York City is immediate and patent. It will also prove thus to people from the whole country. It has already attracted many art lovers to the metropolis; it will attract many more.

THE MORGAN COLLECTION

The most noticeable and helpful feature of the arrangement of the collection is the emphasis placed on chronological sequence. The collection represents works of art executed between the seventh century B. C. and the early nineteenth century—from the archaic Greek bronzes to the paintings of Romney and Raeburn. The ivories begin with Roman examples of the second century A.D. The enamels are mostly of the Byzantine period. Their naïve directness remains clearly in the mind when other features of the collection become less distinct; indeed, a peculiar atmosphere characterizes the rooms in which the ivories and enamels are shown. Then come the Gothic and Renaissance bronzes, full of vitality and vivacity. Then come the later bronzes, not so powerful but subtler and defter. Then come the collections of Italian majolica, of Persian and Arabic glass, and of tapestries. The thirty-six tapestries could not, of course, be crowded into one room. They are used with admirable decorative effect in several rooms. Indeed, in every room any objects of the period are admitted. Then come the miniatures, perhaps the most complete of any of the collections. The paintings have already been separately shown. In many cases they are now distributed throughout different rooms; even the Raphael "Madonna" may seem to be used as an almost incidental decoration. One room in particular challenges attention—the English gallery, wherein the paintings of a great period in English portraiture art are

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exhibited with gratefully wide wall-spacing between the frames. An illustration of this room appears on another page. Finally, there is the Fragonard room, containing the decorations made by that French master for Madame du Barry at Louis XV's order.

In the rooms in which eighteenth-century art is shown may be found many snuff-boxes, watches, and other small works of art for personal use. They contrast curiously with the earlier works, which were not so individual, but were rather the expression of the feeling of a whole people and to be used and enjoyed by a people. The collection might indicate that religious devotion had given place to individual dilettanteism, and also that Greek and Renaissance humanism had been supplanted by the merely baroque and rococo in art. No matter how fascinating from a technical standpoint the Fragonard panels and the little miniatures, it is, after all, a far cry from the realism, whether humanistic or religious, of the early ages to the art expressions of the age of Louis XV.

THE CARTOONIST OF "PUNCH"

Like that of the late John Bigelow, the alert figure of Sir John Tenniel had come to typify a certain timelessness. Sir John has just passed away at Mr. Bigelow's age, ninety-four years. As one thinks of such a long life, the recent epoch of English illustrators comes before us, and, in particular, of the illustrators of the famous weekly "Punch."

"Punch" was only nine years old when Tenniel joined it. That was in 1850. Richard Doyle, the originator of "Punch's" cover, had resigned from the staff. Fourteen years later, John Leech, who had succeeded Doyle as leading cartoonist, died, and Tenniel became chief cartoonist. From that time forth until his resignation, with very rare exceptions, Tenniel supplied "Punch" with a weekly cartoon.

No feature of "Punch" ever added more weight or dignity to it than did these cartoons. Without the broad humor of Doyle and without Leech's delicate raillery, Tenniel had a greater knowledge of the human form. The pictures in "Punch" gained not only in solid draughtsmanship, but also in dignity. They were almost severe. This was shown particularly in the cartoons of Lincoln and Bismarck. Tenniel had pictured "President Abe" in 1861 with little sympathy, but in 1865 made amends by the impressive cartoon entitled "Britannia Sympathizes with Columbia." Underneath were these lines:

> "*You* lay a wreath on murdered Lincoln's bier;
> *You*, who with mocking pencil wont to trace,
> Broad for the self-complacent British sneer,
> His length of shambling limb, his furrowed face."

No less impressive was Tenniel's cartoon illustrating Prince Bismarck's resignation in 1890. It was called "Dropping the Pilot," and the original sketch became one of the Iron Chancellor's treasured possessions.

The character which peculiarly appealed to Tenniel's sense of humor was doubtless Disraeli. Who can forget the cartoon entitled "Moisè in Egitto"—"Moses in Egypt"? It depicted Disraeli as the Sphinx, winking an eye after the great coup he had made in the purchase of the Suez Canal shares.

Another similar character—Napoleon III—continually appealed to Tenniel; a well-remembered cartoon represented the French Emperor in the character of Blondin, the tight-rope walker, crossing the Niagara Falls of revolution.

Of course, Gladstone was the subject of frequent pictures; one recalls him caricatured as an old hen anxiously watching a duckling (Mr. Chamberlain) in a pond and wondering, "Where will he go next?"

THE ILLUSTRATOR OF "ALICE"

If Sir John Tenniel's cartoons were not enough to insure him fame, his illustration to Lewis Carroll's masterpieces, "Alice in Wonderland" and "Through the Looking-glass," would have brought it to him. Not even Cruikshank's illustrations to "Pickwick Papers" and other Dickens novels more adequately carry out the Dickens text than do these in their illustration of the Carroll text. Indeed, one hardly conceives the text without them.

This is not all. What illustrations have ever more successfully satirized the characters and tendencies of public men? In this they have given an especially sharp reality to Lewis Carroll's pages. Not only was there plenty of humor in the pictures of the Cheshire Cat, the Mad Hatter, and the Red Queen, there was in the Dodo, the Jabberwock, the March Hare, and the Mock Turtle reference to a universal humanity, and especially to that humanity when found in a parliamentary chamber. As Mr. Choate, one of the speakers at the dinner given to Tenniel some years

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ago, asked, What statesman, scholar, poet, or soldier of England has had a fame equal to the White Rabbit's?—would it be possible to go through the British House of Lords or the American Senate without finding some reflection of that great character? Thus the illustrator who had already appealed to a large audience by his "Punch" cartoons now appealed, through his Lewis Carroll pictures, to an even larger audience.

Tenniel was knighted in 1893. During his later years he became totally blind, and during most of his life was blind in one eye. It had been lost during his youth while fencing with his father. Sir John used to say, "It is a curious thing, isn't it, that two of the principal men of 'Punch,' Du Maurier and I, have only two eyes between us."

THE MOUNTAIN COMES TO MOHAMMED

A recent announcement by the Chairman of one of England's most important railway systems has startled her press into a very lively discussion. Lord Claud Hamilton, M.P., whose position corresponds to that of president in an American company, announced at a shareholders' meeting that the directors had selected an American railway superintendent for the position of General Manager of the Great Eastern Railway. The choice of an American for this important position is generally approved by the English press on the ground that the infusion of new blood into even a well-organized industry is of value. Many exceptions, however, have been taken to the remarks with which Lord Claud Hamilton prefaced his announcement. The reason he gave for selecting an American was that no man could be found in all England able to fill this office. Lord Claud said that not only lately, but for some years, he had been looking throughout England for young men of promise and undoubted ability who would be competent, should occasion arise, to undertake the duties of general manager of his company. He had found only two, both of them men of great ability and resource, but not possessing sufficient experience for the office. Naturally, Englishmen have resented this apparent attack upon the prestige of their country.

Some of the reasons advanced for the present state of affairs are indeed interesting. Lord Claud Hamilton says that there has grown up in England a tendency to sacrifice merit to seniority. He says, likewise, that on English railway systems all the departments are kept separate, and that, as a rule, there is very little interchange from one to another on the part of the young men employed. The inevitable effect of this method was to remove from these young men any incentive to new ideas and new methods. One of the shareholders present at the meeting at which the announcement was made added that the railway companies did not give a proper chance to promising young men to enter their service. He called attention to the English system of demanding a premium or payment for a chance to work. He said that any young mechanical engineer would have to pay as much as three hundred pounds ($1,500) for a position with the Great Eastern Company.

The American who has been chosen to take over the difficult work of reorganizing the Great Eastern is Mr. Henry W. Thornton, now General Superintendent of the Long Island Railroad. His portrait appears elsewhere in this issue. The problems of the Great Eastern are very similar to those of the railway which Mr. Thornton is now leaving. Both companies traverse thickly populated districts and are feeders for a great metropolis. It is expected that Mr. Thornton may have occasion to work out a system of electrification for the English railway. His great experience in this country of over twenty years with various divisions of the Pennsylvania road should enable him to carry to England the best fruits of American railway practice.

WIRELESS ON RAILWAY TRAINS

Experiments with Marconi wireless apparatus installed on trains of the Delaware, Lackawanna, and Western Railroad Company have proved that it is possible for trains so equipped to be in constant communication with stations and each other regardless of the speed at which they are traveling, and have led railway men to predict that the wireless will prove of nearly as much value to land travel as it has been to navigation.

The Lackawanna Railroad has established wireless stations at Binghamton, New York, and Scranton, Pennsylvania, provided with the ordinary "aerials" supported between high towers. Of course it would be an impossibility to equip an express train with such a system, but it has been found that communication can be maintained up to a dis-

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tance of fifty miles from a train carrying a very low aerial, consisting of a quadrangle of wire supported by insulators on iron pipes eighteen inches above the roofs of the cars. Four cars have been so fitted out on an express train that passes through Scranton and Binghamton. The cars are connected by special attaching plugs, and the operator's station, in the third car of the group, takes up no more room than the ordinary lavatory. The regular Marconi system is used, except that the power is furnished by a special motor-generator set driven from the regular train-lighting dynamo, and the ground connection is made to the rails by a wire to one of the car trucks.

Scranton and Binghamton are about sixty-five miles apart, but when the train is between these two points it is constantly in communication with one or the other, and if out of direct touch with one can reach it by relaying a message through the other.

As a precaution against collision the railway wireless may have great possibilities, and it has already been proved to have them in regard to safety and time-saving through the insuring of constant communication of trains with stations regardless of "line breaks" caused by blizzards, washouts, signal-obscuring fogs, and other abnormal conditions. Apart from this value in emergencies, the amount of time saved in routine train operation when conductors are able to keep in direct communication with train despatchers without stopping their trains makes it likely that the wireless will soon be as much used on railway trains as it is on ocean liners.

The emergency value of the wireless, as already stated, has been thoroughly proved on the Lackawanna. The other day the conductor of the train carrying a radio was suddenly taken ill as the train was approaching Scranton. Ordinarily a delay would have been necessary, either a stop in order to send a telegram to Scranton on the wire asking that a relief conductor be held ready, or a wait at Scranton after arriving there. As it was, however, a message was flashed ahead through the air and the relief conductor was picked up at Scranton with no delay. On another occasion two tramps were found stealing a ride on the blind baggage, and the conductor telegraphed ahead to the next scheduled stopping-place for detectives, who arrested the vagrants when the train drew into the station. In fact, the only persons to lose by the general use of wireless on trains are "hoboes" and train robbers, to whom the sending out of the railway "S. O. S." might often be embarrassing.

MAKING THE COUNTRY CHURCH A LEADER

Experts in the Rural Life Movement are all agreed that the country church is an important factor in the building up of our rural civilization. As a result of this new interest in the country church, a number of organizations, such as the Country Work Department of the Young Men's Christian Association, have held from time to time conferences on the country church and rural leadership.

The Methodist Episcopal Church in the United States has perhaps the largest constituency of membership and parishes in the open country of any of the great denominations. It is therefore significant that a Conference of the Country Church and Rural Leadership was held this winter at Drew Theological Seminary, Madison, New Jersey. under the supervision of Professor Edmund L. Earp, of the Department of Christian Sociology, which is giving courses on the country church and rural sociology. This Conference was composed of delegates from the country parishes in the New York, New York East, Newark, and the New Jersey Conferences of the Methodist Episcopal Church.

One of the characteristic features of the Conference was the demonstration of organized play in rural communities by Dr. Brown, held in the gymnasium. The delegates formed groups by which many practical games were demonstrated that may be used by any country minister at any gathering of his parish.

Such a demonstration of organized play in the interest of religion is an indication of the enlarged conception of religion as a concern of the whole life of man, and a concern of the community as well as the individual. The contrast between this conception of religion and that which emphasizes the solemnity of death and the observance of certain religious rites by the individual is graphically depicted in our pictorial section, where the picture of the delegates in the gymnasium at Drew Seminary is placed next to a picture of a group of boys in their quaint ceremony of reciting memorized words in an English churchyard.

One other very interesting session in the

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Country Church Conference was that in which Dr. Goddard, of Vineland, New Jersey, illustrated by stereopticon views the effects of heredity on morals in the open country, using also scientific charts which had been carefully worked out by his staff in the Research Department of his training school in Vineland.

This Conference was perhaps one of the largest ever held in the Eastern section of the United States composed entirely of rural pastors and ministerial students.

FARMERS' WEEK AT CORNELL

Farmers' Week at Cornell is an event not soon to be forgotten. With the mercury hovering persistently below zero, the soft, light snow squeaking protestingly underfoot, and the deep gorges that cut into the hills on either side of the college campus hung with stalactites of ice, the scene of the meeting itself is worth a long journey. Add to this over three thousand farmers and their wives engaged in a neighborly but none the less serious search for information, and the Conference can be said to warrant a much stronger adjective than merely "interesting." Farmers' Week at Cornell is a State-wide experience meeting. The College of Agriculture, together with the Experiment Station at Geneva, are like great laboratories of farm practice. Between the scientists in these laboratories and the practical farmers of the State there is a generous give and take creditable to the good sense and the sincerity of both.

Farmers' Week, if we may offer a more detailed description for those who have never attended such a conference either at Cornell or elsewhere, comprises a series of lectures, debates, discussions, and demonstrations covering as broadly as possible all the problems of country life. The country church, the rural school, the best method of fattening poultry, the preservation of fence-posts, the keeping of farm accounts, and the raising of horses, all jostle each other in amiable and only apparent confusion.

The lectures themselves are largely informal. Questions from the audience add both interest and information to every discussion. One "doubting Thomas," indeed, when a lecturer told his class that a certain method of culture would increase the value of his potato crop at least ten per cent, asked if the lecturer would contract to buy his next year's crop at an advance of ten per cent over the market rates if he agreed to follow his instructions! Strangely enough, his offer was not accepted.

It might be an excellent idea for the National Grange to pay the expense of sending an editorial writer from each of the metropolitan dailies to next year's Farmers' Week. They would return to their task, we are sure, happier and, still surer, wiser men. The knowledge which they would obtain from the conferences of one Farmers' Week would be felt, not only by the producers, but by the consumers of farm products as well.

A PHYSICIAN TO THE POOR

A quiet woman who has been going through the streets of the East Side of New York City, making herself the friend in need of many destitute and suffering people, was the recipient not long ago of a dinner in recognition of thirty-five years of service. She is a very quiet, unobtrusive, modest person who would shrink from all newspaper publicity, and who would be shocked by the kind of exploitation in which a great many people seem to find one of the supreme satisfactions of life. But such a service and such a spirit as Dr. Annie S. Daniel has illustrated in the homes of the destitute poor for a generation must bear the cross of publicity for the sake of the tonic of example.

In an age when every sort of scoundrelism, infidelity, and selfishness is advertised over the length and breadth of the continent, a quiet life of devotion, lived, not in the seclusion of a religious house, but in the turmoil of the streets and in hourly contact with the misery of the most miserable poor, ought to be held up a moment in order to remind people of the vast, silent, unselfish living which is going on from day to day in all places, among all classes, but which finds no record.

Dr. Daniel has been a physician caring for the sick, passing over to other physicians any patients who can afford to pay for medical attendance, and devoting herself to those who are not able to pay for the ministrations of a doctor.

She has been a visible providence on the lower East Side. She has made compassion, hope, and devotion tangible and real to a host of people. One of her friends at the dinner summed up the influence of her life in the

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statement, "When the East Side was sick it called on God and Dr. Daniel."

THE ANTI-ALCOHOL MOVEMENT IN EUROPE

Recently The Outlook published a brief article on modern methods of fighting the alcohol evil and on the poster campaign against alcohol carried out in Massachusetts.

A book has recently appeared from the press of the F. H. Revell Company, by Mr. Ernest Gordon, which presents a distinctly interesting account of the way this same educational process has been applied to the vaster canvas of modern Europe. The average American generally has the comfortable feeling that the drink question is not a pressing problem in the older countries. He has a vague belief that under the olive trees of Italy, in the gardens of Germany, and at the tables of French cafés sit a host of contented folk sipping light wines that never intoxicate or beers that never befuddle. Mr. Gordon marshals many facts to show how far from the truth is this notion. Even Germany, he says, is waking up to the fact that there is something wrong in the sentences taught in the older primer, which ran:

Das Bier ist ein gutes Getränk.

Das Bier und der Wein sind gute Getränke.

From Mr. Gordon's volume the obvious conclusion can be drawn that the most powerful weapons that can be forged against alcohol are education, education, education. The popular feeling is gradually turning against the use of liquor because it has been proved an economic detriment to society. The man who drinks might take a certain sentimental satisfaction in being called a knave. He generally is very loth to be proved a fool.

Among other examples Mr. Gordon reports one instance showing how this economic and social education is being carried on in Austria. An Austrian teacher, speaking at the Vienna Anti-Alcohol Congress, described the method by which he injected information into his general teaching, since the Government allowed no special instruction against alcohol.

"In the arithmetic class," so he said, "I gave an example. 'The father spends thirty kreutzer a day for intoxicants. How much does that amount to in so many months, years, etc.? In course of how long a time could he with this money make himself independent?' It was eight days before we got through with reckoning on this example. The effect was so strong that the children wanted to throw stones into a saloon opposite. Yet I had not spoken a word against alcohol the whole time."

Together with such indirect methods as this there have been employed all over Europe scientific charts offering conclusive proof of the physical evils resulting from the use of alcohol which both he who runs and he who stumbles may read with profit.

The Swiss prohibition of absinthe, the movement for temperance in the French army, the growth of the total abstinence sentiment in Scandinavia, the use which the German Socialists make of the temperance propaganda as a class weapon, Mr. Gordon treats of at length. The chapter he devotes to German Socialists is of particular interest. Class war, if it comes to a contest in abstinence, will be a thing heartily to commend!

A NATIONAL UNIVERSITY

Chancellor Brown, of New York University, who served as United States Commissioner of Education from 1906 to 1911, contributes to the pages of the current number of "Science" an article which ought to be widely read and seriously considered because it presents a view of the uses, for the benefit of the country, of certain instrumentalities which are now only partially employed. Dr. Brown is in favor of a National University; by this he does not mean the reduplication of any institution now existing, but the utilization for Governmental and educational purposes of the Library of Congress, the Census Office, the Geological Survey, the Bureau of Standards, the Naval Observatories, and probably the scientific offices of the Department of Agriculture.

These are instruments essentially scientific which in the opinion of Chancellor Brown ought to be unified and intelligently directed to certain great ends; and this can be done only when these instruments are treated scientifically. "The problem of a National University is the problem of the organization on its scientific side" of the Government. In several States State Universities have been organized or reorganized along these lines. Under the General Government the necessity for this work has found recognition in the establishment of special commissions and scientific bureaus; but the time has come when these preliminary measures ought

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to result in a far-sighted and thoroughly scientific organization in order that the scientific work of the Government, which constantly increases in bulk and importance, shall have behind it the highest scientific standards and practices, and shall be conducted in a scientific atmosphere.

Dr. Brown sketches the scope and service of such a university; his suggestion has the breadth of present opportunity and immense future utility. It is along the line of the highest efficiency. It would put on a scientific basis a great mass of work of the highest importance which is essentially scientific in character: "The investigation of a network of problems of labor, the costs of production, customs duties, commercial relations, and the regulation of corporations will be one of the earliest undertakings which a National university may be expected to place upon a scientific basis. Its studies in this field will of necessity extend over decades and even generations. But within a few years there should be assembled and made available for use a greater body of digested information on these subjects than any Congress or Administration in this country, or any Parliament or Ministry abroad, has ever had, on which to base its industrial legislation."

A NEW EMBASSY

President Wilson has decided to ask Congress to authorize the raising of our diplomatic mission in Argentina to the grade of an Embassy, and Senator Shively, acting chairman of the Foreign Relations Committee, has introduced a bill to that effect in the Senate. This action is significant, in view of conditions calling for the possible co-operation of the "A B C" countries—Argentina, Brazil, Chile—with our own.

But, aside from this, the President's decision is natural and commendable. The climatic conditions of Argentina are similar to those of the United States, and, like the United States, Argentina has grown rapidly in population and wealth. There has been a constantly increasing diplomatic intimacy between two countries, alike in agricultural conditions, each the most important commercially in its continent, and in methods of government each animated by a peculiarly progressive spirit. Our commerce with Argentina has grown so that now no South American country buys more of us than it does. There has also been a growth in reciprocal sentiments with regard to social, educational, and political ideals. This was specially shown when Dr. Drago, the eminent statesman, enunciated the doctrine which bears his name—the prevention of the collection of private debts by force.

If President Wilson requests Congress to raise our Legation to an Embassy, the Argentine Government will of course be delighted to ask its national Legislature to reciprocate. At the time when our Legation in Rio de Janeiro, the capital of Brazil, was raised to the rank of an Embassy, the people of Argentina—and, in particular, those of Buenos Aires, the capital and the largest city in South America—natural rivals of the Brazilians, were deeply chagrined to think that an equal privilege had not been accorded them. At that time, however, the South American continent was supposed not to deserve more than one diplomatic agent from this country with the rank of Ambassador. As Brazil was by far the largest country, as its potential wealth seemed the greatest, and as its relations with us were of a peculiarly interesting character, it received the Ambassadorship. During recent years the State Department has favored raising the Legation at Buenos Aires to an Embassy, but has been prevented from formally proposing it because opposition in Congress, as controlled by the Democrats, showed itself sufficient to defeat the proposal.

Now, however, influenced by President Wilson, Congress has already made our Legation to Spain an Embassy, and will, we hope, heed his request that our mission in Argentina be raised to the Embassy grade.

The next logical step should be the raising of the mission in Chile to a similar grade. If Argentina was jealous of Brazil, Chile will now be equally jealous of Argentina, and with what will seem to Chileans and to many others quite as good reason.

THE NEXT PAN-AMERICAN CONFERENCE

The programme of the fifth Pan-American Conference, which occurs next year, has been officially announced. The last subject on the programme is "a declaration, as a principle of American policy, that aliens do not enjoy other civil rights or other recourses than those granted by the Constitution and laws of each country to the citizens thereof."

Secretary Bryan's agreement to discuss this question puts us in the embarrassing position of facing the smaller and less stable nations

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on an issue which other Secretaries, notably Mr. Blaine and Mr. Bayard, prevented from being raised.

The reason why the discussion of this question would be embarrassing and might possibly be destructive of amicable feeling between the countries of South and Central America and the United States may not be at once apparent; but it ought to be clear to our State Department. Recent events, not only in Mexico, but also in Haiti, Venezuela, and Ecuador (not to include Peru in this category), have made it plain that there are some republics of the New World whose governments are by no means as considerate of the welfare of their own people as the United States wishes to be of its citizens. The United States is perfectly willing to trust Germany or England with the lives of Americans, because we know that, if Americans in either country have the protection accorded to the citizens of either country, they will have all the protection they can think of asking for; but we take a very different attitude toward countries that have other standards, and we ought to do so. Is the United States ready to put Ecuador and Colombia and Haiti and Mexico and Venezuela into the same category with Great Britain and Germany? If not, it is extremely unwise even to discuss the question with the representatives of those countries. Suppose, after such a discussion at the Pan-American Conference, a resolution should be passed that, as a principle of American policy, aliens should not enjoy other civil rights or recourses than those granted by the constitution and law of each country to the citizens thereof. The United States would have to follow one of three courses: It would either have to give notice that it would not be bound by the resolution (that would be embarrassing); or it would have to appear to acquiesce, and then, in specific instances, act in repudiation of the resolution (and that would be embarrassing); or it would have to adopt the policy of the resolution and intrust its citizens to the tender mercies of the less stable and less civilized South or Central American republics (and that we do not believe it ever would do).

It is not merely, therefore, a matter of precedent that is concerned here. If only precedent stood in the way of our discussing with our neighbors on this hemisphere any such question, we should be glad to see the precedent smashed to bits. What stands in the way is common sense, combined with a desire to preserve our friendly relations with our neighbors.

With all the Latin-American countries we should be on terms of increasing amity. Our progress in this respect, not only with such leaders as Argentina, Brazil, and Chile, but also with backward countries, like Nicaragua and Santo Domingo, has been gratifying. And this very fact should prevent our Government from doing anything to imperil that amity.

WORKMAN'S COMPENSATION AND ITS ADMINISTRATION

A little over two years ago The Outlook prophesied that Wisconsin's new Workman's Compensation Act would prove a remedy for certain intolerable industrial evils. It is interesting to note just how far that prediction was correct.

During this time the employers of the State have paid a cash indemnity to their injured workmen of $396,354.73. Of this amount every cent reached the person to whom it belonged; none of it went to the middleman. Prior to the enactment of the law less than $200,000 was paid each year through court decisions involving great expense to both parties; and it went to only one man out of every seven disabled. In addition to the amount paid as compensation in the last two years, an amount equal to about fifty per cent more was paid by employers in hospital bills and medical fees, bringing the total bill for accidents settled outside of the courts to nearly six hundred thousand dollars. Inasmuch as a large percentage of employers did not elect to come under the provisions of the act until its revision last year, these figures are still more significant than they at first seem. A large amount was paid out in lawsuits by those who preferred the old system of justice. Recent figures, covering ninety-six per cent of the accidents in Wisconsin for the month of December, show a great increase in money paid directly to workmen; $42,550.30 being paid as indemnity in 686 cases.

Up to January 1, 1914, all but 156 of the 6,894 claims settled outside the law courts were adjusted automatically without even the arbitration of the Industrial Commission. That Commission is an interesting example of the efficiency resulting from a concentration of power. With an organization similar to that of the famous Wisconsin Rate Commis-

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sion, it has charge of all governmental activities related to its field. Operating under a broad, comprehensive law that requires that industry must be safe, the experts of the State called together an advisory committee, representing both labor and capital, for the formation of rules for safety. There is no question but that this co-operation of formerly conflicting forces in the solution of a common problem—industrial safety—has been of great value in many ways. Not only has it reduced accidents tremendously, but it has given all concerned a clearer view of the compensation law. But accidents cannot be entirely prevented, and, since it is human nature to try to evade the penalty, the Commission keeps a close watch that none escape the law. Every accident in an industry employing four men or over must be reported within a week. The Commission employs the services of newspaper clipping bureaus in order to check up on accidents reported. If the employee does not return to work within a month, the employer must make a weekly statement each week until he does, giving the amount of compensation paid and the medical attendance furnished. In addition, every insurance company that does business in the State must render a detailed account of its disbursements, while employers who carry their own liability must submit a quarterly statement to the Industrial Commission. Moreover, no settlement of damages is valid unless approved by the Commission.

The value of such an organization is obvious: it is both efficient and economical. Worked out along co-operative lines so far as possible, it has wonderful results from the standpoint of education. It is to be regretted that, with the exception of Ohio's recent act, similar legislation and administration has not been effected in other States. Washington has a successful insurance system, but this is hampered by a clumsy machinery composed of four distinct departments. Moreover, the law is inferior in that, like the new law in New York, it affects only the so-called "hazardous" industries, and provides even there a low rate of compensation and inadequate medical attendance. The satisfactory working of the Wisconsin Commission plan is being observed all over the country and will unquestionably lead to its introduction elsewhere, thus making for a distinct advance toward the safety, justice, and industrial peace that the Nation is demanding.

GREAT BRITAIN AND MEXICO

How many Americans have been killed in Mexico no one seems to know. How any of them met their death our Government has apparently not found out. Suddenly the news comes that a man named Benton has been killed, and the matter at once becomes an international event of importance. Why? Because Benton was a British subject.

The British Government has not assumed that because Benton was in Mexico he was there at his own hazard; it has not assumed that because Benton was the owner of property in Mexico and had lived there for twenty years he was an adventurer for whose safety no country could hold itself responsible; it has not assumed that Benton provoked the altercation that led to his death; it has not assumed that Benton was a combatant, taking part in civil strife, and therefore forfeiting his rights as a British subject. On the contrary, Great Britain has assumed in this case, as it habitually assumes, that a British subject is a ward of the British Government wherever he may be, and that he is entitled to the maintenance of his rights until it is affirmatively shown that he has forfeited them. The Benton case may help some Americans to understand why Englishmen resident in this country are slow to forswear allegiance to Great Britain and assume citizenship in the United States.

The British attitude found dramatic though not unusual expression a few years ago in one of the capitals on the south side of the Mediterranean, where popular disturbances seemed to threaten the safety of the British Legation. The British Minister called on the local Sultan for protection. He made his demand in person. The Sultan advised him to take refuge in a vessel in the harbor. He refused to do so. The Sultan warned him that he might not be able to protect him. The British Minister replied that he must be protected. "But you may be killed," the Sultan said. "If I am killed," the Minister rejoined, "another British Minister will be here as soon as a steamer can come from England, and if he is killed another Minister will follow him. There will always be a British Minister here. You had better protect me."

That this has been the habitual attitude of Great Britain towards British subjects all over the world is universally recognized. That is why, when anything happens to a

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British subject in a foreign country, some action in explanation at least, if not in expiation, is expected as a matter of course.

In the case of the rancher Benton the British Government has acted with unexceptionable restraint. In its action it has shown not a trace of bluster or of that arrogance which some uninformed Americans have been accustomed to regard as a traditional British trait. On the contrary, the British Government has taken this occasion to display unusual friendliness towards this country. It has been Great Britain's reputation for taking pains in looking after the welfare of British subjects, not any special threats or undue activity, that has made the Benton case notable. This is the reason why the United States Government is giving to the death of a British subject in Mexico the attention which, apparently, it has never yet paid to the death of nobody knows how many American citizens.

There are Americans who wish for their own country the reputation in this respect which Great Britain enjoys.

THE UNITED STATES AND ARBITRATION

After a long delay, against which The Outlook has several times protested, the United States Senate, waiving the formality of a roll call, has ratified the general treaties of arbitration with Great Britain, Spain, Norway, Sweden, Japan, Switzerland, Portugal, and Italy. These treaties were negotiated and went into effect in 1908; they expired by their own limitation last year; and now eight are renewed. Similar treaties, which have similarly expired, with other nations will soon be submitted to the Senate and, it is to be hoped, will be ratified without delay.

This action, with the reversal of the action of the House on the Asiatic Exclusion Amendment to the Immigration Bill, puts the United States once more in a position of honor, dignity, and comity with the other nations of the world; and puts the President of the United States in a tenable position when he asks, as he has asked, a free hand in dealing with Mexican affairs, and patience and forbearance on the part of all countries the lives and property of whose subjects are within the region of turmoil.

Last June The Outlook called attention to the untenable position in which the country stood with reference to other nations. We had a treaty with Russia, and disagreed with that country in the matter of interpreting its duties and our rights. Instead of suggesting the submission of the dispute to arbitration, we annulled the treaty, which was exactly the wrong way of approaching the matter. We had a treaty with Japan, under which the Japanese believed that they had a right to hold farming lands in this country. Without requesting that the Japanese Government be called into friendly conference and be asked as a neighbor to come to a good understanding, California denied rights which Japan supposed she possessed, and, by choosing an offensive and wholly unnecessary method, weakened the long-standing friendship between the two countries. We had a treaty with England regarding the right to use the Panama Canal. Our Government believed that we had a right to exempt American coastwise vessels from tolls. England believed that no such right existed. It was eminently an arbitrable matter. If anything is arbitrable, it is certainly the interpretation of a treaty. A large number of Senators were opposed to renewing the treaty of arbitration with England because they were unwilling to arbitrate the Panama Canal question. In all these matters the rights of this country and its privileges were easily safeguarded; but there was all the difference between courtesy and discourtesy, friendship and enmity, in the way in which these questions were dealt with.

Now we are back on the highway again. The arbitration treaties recently ratified by the Senate are renewed for five years. All attempts to emasculate them by amendments were voted down by large majorities. These treaties provide for the reference to the Hague Tribunal of all questions relating to the interpretation of existing treaties which cannot be settled by diplomacy. They specially exempt from arbitration the vital interests, the independence and the honor of the contracting nations, and disputes involving the interests of third parties. The treaties provide that, in case of dispute, a special agreement shall be drawn up defining the matter at issue and the scope of the questions to be submitted for arbitration; such agreements to be signed by the President and ratified by the Senate before the questions involved can be submitted to The Hague.

The Outlook has recorded from time to time the great progress towards the settlement of international disputes by arbitration. Very few people are aware of the growth of the

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public opinion of the world on this matter, and very people know how many organizations are at work in practical ways to lay that basis of international knowledge on which alone the hope of peace can be based. Many impracticable suggestions have been made. A great deal of "peace" talk has been in the air. The Outlook has held from the first that the peace movement can advance only along solid lines of reality; that no misfortune could be greater than the making of treaties which were not sustained by public opinion. Better, many times better, sharp disputes between nations than the adoption of a treaty of arbitration between two great countries and the violation of the treaty under the strain of some dispute which appealed to popular passion. That is certainly what will happen if arbitration treaties are pushed forward too far in advance of the opinion of the world. Local laws are worthless unless they are enforced by local public opinion. Laws which have not this vitality become objects of derision and weaken the respect for all law. Arbitration treaties should not go beyond the point where public opinion will support their enforcement. Behind the eight treaties which have been renewed, with their specific exemptions, The Outlook believes there is a powerful and growing American sentiment.

The insufficiency of force as an instrument for settling differences between nations is becoming more and more clear to all civilized peoples. Step by step, in spite of many setbacks, much confusion of thought, and the usual cynicism and opposition of great interests—clearly brought into light by recent disclosures in Germany—the movement for arbitration goes steadily on. It means in the end the lifting of a crushing burden from the shoulders of humanity. It means freer and purer air over the whole world. It means the liberation of a sentiment deep in the hearts of all nations, that the welfare of one nation is the welfare of all nations, and that in the great community of the modern world a narrow selfishness and a bigoted patriotism cannot prevail.

There are certain questions not likely to arise which cannot be arbitrated because public sentiment would not support such a form of settlement; but the great majority of questions are arbitrable, and the area of the non-arbitrable will steadily shrink as the nations accustom themselves to think, not of war, but of diplomacy and courts as methods for the sane and honorable settlement of disputes.

DOES THE RED CROSS PROLONG WAR?

Miss Edith Durham is a woman war correspondent. She has recently seen war at its worst in the Balkan conflict. The result of Red Cross work in that war, she is reported to have said, has been the quick healing of the soldiers' wounds, their early return to the firing line, and hence the prolongation of war.

What is the implication? Leave the combatants to die on the field if we want war to cease?

History shows that it has always been impossible in time of war to prevent people from going to the aid of their own wounded soldiers. Certainly they would not be stopped from doing it by the desire to shorten war.

Moreover, it is impossible to prevent outside friends, though neutrals, from coming to the aid of the wounded. Miss Durham herself doubtless found it impossible to turn away from a wounded soldier in the Balkans if some ministration of hers could have restored him to health, even if it meant his return to the battlefield!

And how about those associated friends of sufferers, the Red Cross societies in neutral countries? They minister to the wounded belligerents in time of war, as agreed upon by international treaty, purely on humanitarian grounds. The aid is offered impartially so that no one country is enabled to have an advantage over another.

Has such aid prolonged war? We do not believe it. Since the advent of the Red Cross, in our opinion, not only have wars not increased, but they have not even been prolonged, because of this new enginery of humanity. This for two reasons:

(1) Brutality, even maltreatment of a wounded enemy, arouses a bitterness on the part of the enemy-nation that no peace treaty can do away with. On the other hand, kindness to the wounded soldiers of an enemy results in their return to their homes with a grateful spirit of friendliness to their captors. The Red Cross International Treaty distinctly declares that all "officers, soldiers, and other persons . . . who are sick or wounded shall be respected and cared for, without distinction of nationality, by the belligerent in whose power they are." Countries which have an inadequate medical corps and hospital accommodation find it difficult not to devote what they have to their own men first. But if they have the aid of the

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Red Cross societies of neutral countries they can enable their prisoners of war to receive better care than would otherwise be the case.

(2) Furthermore, volunteer aid in time of war is far more apt to bring to the public a knowledge of the horrors of war than would be the aid received merely through the regular official medical corps of armies, whose business it is to deal with war. This is, we believe, a strong factor in educating the public mind against war. Through these volunteer aid societies, publishing, as they do, frequent pamphlets and reports, the people learn more accurately the terrible cost of war in human life and suffering. And the people, contributing by means of these societies, personally and directly, *feel* their participation in the work of mitigating the horrors of war.

These two results—the bringing about of a friendly feeling by means of the Red Cross between the belligerents, and the information obtained by the public through the Red Cross of the horrors of war—more than offset the danger that the relief given to a limited number of wounded may prolong war.

The Red Cross movement is much more than an isolated attempt to carry out a humanitarian purpose. It is an expression of a growing hatred of war; a deepening sense of its essential inhumanity; and for that reason the Red Cross, while it mitigates in many ways the horror of war, is an eloquent and insistent protest against war. It interprets an attitude of mind to which an increasing number of people all over the world are coming; and among the many influences that are making for rational methods of settlement of international difficulties, the Red Cross must be counted in many ways the most dramatic, striking, and effective.

THE FIRST YEAR OF THE WILSON ADMINISTRATION

A REVIEW

PRESIDENT WILSON is just completing the first year of his Administration. What is the record?

Mr. Wilson has been called "the schoolmaster in politics." This phrase is generally used with the implication that the President is an academic person with little, if any, practical knowledge of the world. Mr. Wilson has not, it is true, been a great traveler, and this perhaps is a limitation. Yet, on the other hand, he has the schoolmaster's knowledge of character and the schoolmaster's habit of authoritative command.

Despite these alleged limitations, the President's attitude towards public questions, whether foreign or domestic, has, in general, been "broad gauge." To the solution of every problem he has brought to bear his strong, intellectual, incisive personality and a spirit of calm comprehensiveness, even where he has not, according to some critics, shown a "sweet reasonableness."

ADMINISTRATION

What has been the President's record on the administrative side?

Cabinet. This record begins with his Cabinet appointments. Some of the men chosen, like Mr. Garrison, Secretary of War, and Mr. Houston, Secretary of Agriculture, were practically unknown, and yet they have proven signally efficient public servants, as has Mr. Lane, Secretary of the Interior, who was well known.

To his Cabinet the President gave large powers, announcing on the day after his inauguration that he did not wish to see applicants for office unless he himself invited the interview; instead, he would deal with the appointments through the members of his Cabinet. So far as we know, all of those members, except one, have conformed to the civil service declaration in the Democratic party platform. The one exception is the Secretary of State, who in some cases seems to have followed the old-fashioned idea that National offices might be used in payment for political services. And this from one who has been absent from Washington more than has any other Secretary of State, and whose excuses for absence have been of an extraordinary kind! Fortunately, from the acting Secretary, John Bassett Moore, the State Department, during Mr. Bryan's absences, has had wise direction.

The Ambassadors. This brings us to a

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consideration of the country's civil service as affected by the Wilson Administration, and, first of all, of the foreign service.

As during recent years the number of diplomatic appointments made on a purely political basis has not been large in comparison with the former practice, much interest was shown as to how Mr. Wilson, professedly a civil service reformer, would act. In some cases his ambassadorial appointments called forth commendation, particularly his appointments to England and Italy. If some other appointments have been good, it can hardly be said that they have been great. As Ambassador to Germany, for instance, the President selected Justice Gerard, of New York City, a popular member of Tammany Hall. In some respects Mr. Gerard seems well fitted for the position, but his name would hardly occur to one in a list of Americans most fitted. Possibly the same is true of Mr. Penfield, of Pennsylvania, Ambassador to Austria, of Mr. Willard, of Virginia, our first Ambassador to Spain, of Henry Morgenthau, of New York City, Ambassador to Turkey, and of George W. Guthrie, of Pittsburgh, Ambassador to Japan. Now, all these Ambassadors are public-spirited and highly respected citizens. But this is not all that is required for ambassadorial fiber. Training is also desirable—if not distinctly diplomatic training, at all events some large acquaintance with foreign affairs.

It must be remembered that these Ambassadors displace other Ambassadors. One of those displaced is William Woodville Rockhill, a notable example of promotion. In 1884 he was Second Secretary of our Legation at Peking. He became Secretary there, and then Chargé d'Affaires at Seoul, then Chief Clerk of the Department of State, then Third Assistant Secretary, then Assistant Secretary, then Minister to Greece and other Balkan states, then Director of the Bureau of American Republics, then Minister to China, then Ambassador to Russia, and finally Ambassador to Turkey—a twenty-nine years' record. The office at St. Petersburg, which Mr. Rockhill had filled with distinction, was offered to Mr. Pindell, of Illinois. The appointment of this "original Wilson man" was so crudely described in language attributed to Senator Lewis, of Illinois (and unsatisfactorily explained by him), as to chagrin thoughtful citizens here and to excite amused criticism abroad.

The Ministers. So much for Ambassadors. As to Ministers, the appointments which stand out as being commendable are those of two men from the colleges and universities: Dr. Henry van Dyke, of Princeton, to Holland, and Professor Paul Reinsch, of the University of Wisconsin, to China. As Minister to Greece the President nominated another college professor who had wide acquaintance in foreign parts—Garrett Droppers, of Williams. When Dr. Droppers declined, George Fred Williams, of Massachusetts, was chosen. One is unable to detect any particular reason for such a selection. As Minister to the neighboring Balkan states the President chose Charles Vopicka, of Chicago, another candidate without experience. He displaces John B. Jackson, an efficient Minister who has been in our service for twenty-three years.

Turning to the Western Hemisphere, we find one especially good appointment in the case of Mr. Gonzales, editor of the Columbia "State," now Minister to Cuba. But this appointment and the appointments to the other twenty positions in Central and South American countries may be adversely criticised for the reason that with those countries, with which we need to be in increasingly good relations, the men who have been occupying ministerial posts and who have earned those posts by promotion have how been replaced by men of no experience. Even Mr. Gonzales replaces such a man as Mr. Beaupré, who was appointed, after examination, as Secretary of Legation at Guatemala fifteen years ago, who then became Secretary of Legation at Bogotá, later Minister to Colombia, then Minister to Argentina, then Minister to Holland, and finally Minister to Cuba.

Charles Dunning White is another efficient diplomat displaced by a purely political appointment. Mr. White is a Princeton man. He studied law in New York City and pursued post-graduate studies at the Universities of Berlin, Jena, Copenhagen, and Christiania. He was Secretary of Legation at Buenos Aires, The Hague, Christiania, and Havana. He then became Minister to Honduras.

A peculiarly interesting record of preparation for efficient work in the countries south of us is furnished by the example of George T. Weitzel, a Harvard man, both of the College and the Law School. After examination he was appointed Secretary of Legation at Managua, Nicaragua. Subsequently he was Secretary at Panama, then at Mexico City, then Assistant in the State Departments, Latin-American Division, then a Special

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Agent in Mexico during the Madero revolution, then Assistant Chief of the Latin-American Division, and finally Minister to Nicaragua. He has been displaced.

Other cases similar to the above are those of Mr. Knowles, displaced as Minister to Bolivia; Mr. Schuyler, displaced as Minister to Ecuador; Mr. Du Bois, as Minister to Colombia; Mr. Einstein, as Minister to Costa Rica; Mr. Russell, as Minister to Santo Domingo; Mr. Dodge, as Minister to Panama; and Mr. Hitt, as Minister to Guatemala. All these officials had been in the diplomatic service from nine to nineteen years, and had "made good."

The political sweep would indicate some abandonment of the policy begun by John Hay. Convinced that our foreign relations were of too much moment to be the plaything of spoilsmen, Mr. Hay established a system of examinations for entrance to the diplomatic service. Some of the very men whose places have now been filled by new appointees began their careers in diplomacy, as is shown above, by *examination*, and reached the higher grades only through the system of *promotion*, also inaugurated by Mr. Hay. Since his day the retention of such men has been fostered by Secretaries Root and Knox, and has now come to be accepted as the principle governing our service, no matter who may be President in the White House.

Any onslaught on such reforms would be a most objectionable feature in any new Administration. Exactly this is true of Mr. Bryan's record. The principle actuating the three Secretaries who preceded him was that politics should play a diminishing part in the service. The contrary has been true of him, for he has put out experienced men at home and abroad to make room for his appointees. All the ambassadorial and ministerial posts have now been filled except six: the posts still held by Mr. Herrick, Ambassador to France; Mr. Morgan, Ambassador to Brazil; Mr. Garrett, Minister to Argentina; Mr. Fletcher, Minister to Chile; Mr. Egan, Minister to Denmark; and Mr. Heimke, Minister to Salvador.

The Consuls. Finally, there is the Consular Service. Here, we are glad to say, the record of the present Administration is admirable. In his seventy-odd appointments to that Service the President has continued in force the rules which have governed appointments under Secretaries Hay, Root, and Knox; that is to say, so far in the Wilson Administration appointments from private life to the Consular Service have been made only of persons who have successfully passed the prescribed entrance examination, and vacancies in the higher grade Consular offices have been filled by the promotion or transference of officers already in the Service. Such a record calls for hearty commendation because of the great pressure on the Wilson Administration by a horde of hungry office-seekers to overthrow the merit system of examination and promotion begun by Mr. Hay in both the Diplomatic and the Consular Service. But the Administration's record in the Consular Service seems hardly an offset to its record in the Diplomatic Service during the past year.

The Civil Service at Home. Turning to the civil service at home, the President found himself at the outset confronted by the clamor of his party henchmen, who were indignant that President Taft, shortly before the Presidential election of 1912, had classified all the remaining unclassified fourth-class postmasters (about 36,000 in number) into the merit system, so that now, together with those already classified by President Roosevelt, about 51,000 fourth-class postmasters were "covered in" to the permanent merit service. Here was a pretty surprise for Democratic office-seekers, who for years had been watching these postmasterships with an envious eye. They urged President Wilson to rescind President Taft's order. But President Wilson did not; instead he amended the orders of his two predecessors by providing that no fourth-class postmaster should be given a classified status unless appointed as the result of competitive examinations. This interesting experiment is a new one in the Federal service.

The President's general attitude with regard to the civil service is further shown by the fact that the number of changes made during the first year of his Administration in the offices not in the merit system is apparently no greater than that made by former Administrations—such offices as those of postmasters of the first, second, and third class, collectors of customs and of internal revenue, registers of the General Land Office, district attorneys, etc. When one considers that the Democratic party had been long excluded from power, this record is indeed creditable.

Unfortunately for this record, however, the President has not stood out, as he might have,

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against certain attacks on the civil service. In the first place, he signed a provision providing for an income tax collection to be made by agents appointed under no competitive system.

In the second place, he signed a bill containing a provision which removed from the competitive service practically all deputy collectors of internal revenue and deputy United States marshals, and even issued a memorandum declaring his belief that these offices were never intended to be included under the ordinary provisions of the civil service law!

In the third place, in the reorganization of the Civil Service Commission and in the organization of the Commission on Industrial Relations, his appointments were, in general, those of persons of insufficient experience in administration. With regard to the new appointments to the Inter-State Commerce Commission, however, such a criticism should not be made.

The Philippines. If, in a review of the first year of the new Administration, the changes in the civil service are the first things to attract attention, the policies of the new Executive with regard to our Territorial possessions and with regard to foreign nations are subjects of equal interest and significance.

The principal cause for criticism of the President's Philippine policy comes in connection with the appointment of Francis Burton Harrison as Governor-General, and in the announcement by that official of a change in the government of the islands, namely, that a majority of the Philippine Commission is henceforth to consist of Filipinos. Perhaps President Wilson has supposed that he was promoting democracy in the islands. The preponderant judgment of informed people, however, seems to be that he has retarded it. If the Filipinos were as able as are the Americans to consider the welfare of the islands as a whole, the criticism might lose some of its force. But as yet there is no appreciable proportion of Filipinos who understand what we mean by the welfare of all the people. Color is lent to this statement by the fact that the Filipinos who have now become members of the Philippine Commission represent chiefly, if not solely, the landowner class.

But this is not all. Up to the present the decisions of the Philippine Commission have been final. In theory, of course, the final authority is with the President and Congress, but in practice it has hardly rested there at all. The ultimate decision still rests with Americans, it is true, but with Americans in Washington, not in the Philippines. It is unfair, not to say unjust, to ask Americans in Washington to undertake to pass judgment on the details of administration and legislation at Manila.

Moreover, certain changes in the civil list of the Philippine Government have alienated the Administration's support by the three American dailies at Manila, the "Cable News-American," the "Times," and the "Bulletin." Those in the classified civil service in the Philippines now feel that their positions are insecure, and that they are not being accorded the protection from injustice which is their due from their countrymen on the other side of the world. They are being abandoned to the mercies of a Filipino majority in the Philippine Legislature—a majority notoriously lacking in love for America or Americans, and without appreciation or gratitude for the work which America has done for the Filipinos.

Mexico and Japan. With regard to the President's foreign policies, two countries have probably occupied his mind more than have any others—Japan and Mexico. The question with regard to Japan was much the same as the question which arose in 1906 in relation to our treaties with that country. When, in 1906, the State of California proposed legislation which was construed by Japan as in conflict with treaty rights, the then President summoned Californians to Washington and checked the legislation by himself promising to arrange immigration matters in a manner satisfactory both to the Californians and to the Japanese. This was done. Instead of following out such a course when the exigency arose last year, Mr. Wilson did not summon Californians to Washington, but sent his highest officer, the Secretary of State, to Sacramento. Legislation was passed despite this by the State of California, and though its amended form is held not really to conflict with treaty rights, the Japanese do not so regard it. The occasion has proved mortifying to them and embarrassing for us. The Wilson method of treatment, as contrasted with the previous method, sharply differentiates the respect shown by Democrats to the doctrine of States' rights from the respect shown by others to the doctrine of a strong, centralized Federal Government.

With regard to Mexico, it may be said that the President has been following a waiting

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policy. At the same time, he has obtained general support in this country and abroad in his refusal to recognize Huerta. He has also obtained approval for his Central American policy as defined in his address at Mobile. But his critics have felt that a policy of "watchful waiting" may be carried to an extreme. The President appears to expect to avoid intervention until such time as it shall become clear to the whole world that he is forced to take the step. In this most of his critics agree that no punitive measure should be taken until every other expedient has been exhausted. Unfortunately, however, there is not the feeling in this country, as there is in Great Britain, that the Government will aggressively support the persons and property of its citizens and subjects wherever menaced.

LEGISLATION

On the legislative side, the Wilson Administration reveals the fact that we have a President with apparently greater control over Congress than any other President has had, at least during his first year. One reason for this is because the Democrats have been long out of office, and their party regarded as inefficient. To show it to be efficient, the Democratic majority willingly held together, under the President's leadership.

That there may be no doubt as to who is the leader, Mr. Wilson adroitly removed Mr. Bryan from the sphere of active internal politics by rewarding him with the highest office in the Presidential power—that of Secretary of State. Mr. Bryan's tenure of office has been accompanied by some embarrassments to Mr. Wilson, but with Mr. Bryan in the Cabinet Mr. Wilson has been able to get Congress to pass the legislation he wanted. With Mr. Bryan and his following as obstructionists, this might have been impossible.

Tariff and Finance. Of this legislation, the most talked of bills have been those which have reorganized our tariff, and our banking and currency systems. Whatever may be urged against these measures, especially the first, it must be admitted that, in general, with the exception of the income tax provision, they have satisfied the country. The Tariff Bill, confessedly "a competitive tariff," places foreign products more on an equality with American products in the markets of this country. All interests have shown a commendable disposition to accept the new Act.

The Currency Bill is the most important piece of legislation so far passed during the Wilson Administration. It is, both by the provisions of the bill itself and by the spirit with which Congress treated it, a great constructive measure. It has already had a beneficial effect on sentiment in the business world, because it makes it easier for the man engaged in a legitimate business to turn his wealth or his credit into a form accepted without question throughout the country. The country wants to do business, and it accepts the new banking and currency machinery as an efficient help to that end. The great problem now is to get the law into operation. The Secretaries of the Treasury and of Agriculture are marking out the reserve regions and are placing regional reserve banks. This greater distribution of banking authority, together with the fact that at last we have an elastic bank-note currency, the volume of which expands or contracts with trade, entirely justifies the President in expressing "a very deep gratification" at being able to sign such a bill. With regard to the Currency Bill, indeed, the country has been so satisfied that the increasing confidence with which Mr. Wilson is regarded by business men has this as its principal cause. He has always appealed to the "intellectuals." He now appeals to very practical persons and to the man-in-the-street. They have come to regard him as one who thinks and acts along broad, constructive lines

The Trusts. On the other hand, the income tax provision of the Tariff Bill has been generally adversely criticised. Some have so criticised it because they believed it wrong in principle, others because they believed the provision in part unconstitutional, but most because the measure has been clumsily framed. As the bill was the Administration's, it was incumbent upon the Administration to see that it was constructed so that the country would know exactly what was meant, beyond the peradventure of a doubt.

Adverse criticism can be applied also to certain provisions of the Trust Bills, the so-called "Five Brothers," and the criticism is doubly significant because it is nowhere keener than in certain newspapers which ordinarily are Wilson supporters. Of course the institution of an Inter-State Trade Commission, to deal with industrial corporations as the Inter-State Commerce Commission deals with the railways, if this should be the effect of the bill, would be admirable. Of course

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the system of interlocking directorates should be checked. Of course there should be publicity with regard to capitalization. But extreme legislation may altogether prevent efficient regulation.

Labor Unions. Mr. Wilson's legislative programme a year ago included measures to be enacted into law on the subjects of the tariff, banking and currency, and the trusts. To these he has added a measure to improve rural credits. It was natural that he should wish to unite the Democratic majority support for these measures. Apparently so anxious was he that he signed a Sundry Civil Bill last year which carried with it a "rider" exempting labor unions from prosecution under the Sherman Anti-Trust Law. Such a measure as this, as The Outlook has said, ought not to be carried on the back of an appropriation bill, but should be considered on its own merits as a separate piece of legislation.

Hetch Hetchy. Mr. Wilson's approval of the Hetch Hetchy Bill also called forth much adverse comment, although the question was one on which good men were divided. Such a law will doubtless prove an awkward precedent.

Immigration. The President's sometimes seemingly hypnotic power over Congress was shown during the recent discussion of the Immigration Bill, when the provision to exclude the Japanese was stricken from the measure.

Alaska. This power was also shown by the passage of the Alaskan Bill, which, without the President's influence, would doubtless have been defeated both in the Senate and in the House of Representatives.

President Wilson's course concerning Alaska is to be commended. In face of much opposition, the Administration has strenuously and successfully espoused the policy of Federal construction, ownership, and operation of Alaskan railways. This feature of the Wilson Administration's first year will doubtless furnish one of its chief claims to distinction.

Canal Tolls. More striking still has been the President's influence with regard to the repeal of the provision of law which grants exemption from Panama Canal tolls to American vessels engaged in coastwise trade. In the Democratic majority there has been much disagreement as to our Canal policy. But these differences are melting away in the presence of the Wilson influence, the plank in the Democratic National platform to the contrary, which reads, "We favor the exemption from tolls of American ships engaged in coastwise trade passing through the Panama Canal." It is almost amusing to read day by day the statements given out by certain Democratic leaders who, in Congress, voted for exemption and who for more than a year have been supporting the plank in the Democratic platform. Most of them are now explaining why they are "lining up" behind the President.

Arbitration. Similar power has been exercised by the President, in especial, over the Senate Committee on Foreign Relations. After a delay of many months the President has finally induced most of the Democratic obstructionists on this Committee to agree with such Republican authorities among its members as Senators Root, Lodge, and Burton, and to extend the life of the arbitration treaties negotiated in 1908 by Mr. Root, then Secretary of State, with eight Powers. This action has been interpreted everywhere as a pledge of international good faith.

Nicaragua. It is to be hoped that the President's influence will also be sufficient to induce action on the Nicaraguan Treaty, which has been "hanging fire" for months. This treaty would put Nicaragua on much the same basis as Cuba with regard to this country, and should insure to Nicaragua administrative, commercial, and territorial independence and stability.

Opium. We have still to see another international pledge fully redeemed. As far as calling international conferences together is concerned, our Government has been a leader, especially in the direction of opium reform. We should show equal enthusiasm in cleaning our own house as we have promised. For some years we have prohibited the importation of opium except for medicinal purposes. The pending Anti-Opium Bill in the Senate has now been favorably reported, we are glad to say, and, if passed, will complete the Wilson Administration's fine record in checking the domestic manufacture, the export, and the inter-State traffic in opium, thus lessening the evils to public health and public morals alike.

The President's Power. The President's power over Congress is also a power keeping the Democratic party together. Perhaps no President has been more successful in such a party endeavor. The success is the more striking when one considers the Democratic

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party's record of faction and folly, when one considers its unwieldiness, and, above all, when one considers that Mr. Wilson had no previous experience in National politics, or even much personal acquaintance with Democratic leaders.

In all this the President's personality counts for much, especially as he has the reputation of not seeking advice from others as much as he might. He does not because he is strongly convinced of the truth of what he believes, he stoutly maintains his rugged faith, and he takes a long look ahead. Thus when he has appeared before Congress in person to read his Messages—resuming a practice discontinued by our Presidents for over a century—many Congressmen have regarded him as a kind of popular monarch, one who combines authority with the fascination frequently exercised over men of lesser minds by a superior mind. It is clear that the President's first year in office has increased the respect which is felt for his ability and his personality among the members of his party, his political opponents, and the country at large.

THE CITY OR THE SYSTEM?

SPECIAL CORRESPONDENCE

BY GREGORY MASON

LIKE the Duke of York and his faithful army whose uphill work is celebrated in song may have appeared the Mayor of New York and fifty citizens of that city, who advanced up the steep slope of State Street, in Albany, last week, to plead for legislation to break the police "system" of New York City and restore discipline to the Police Department; but, unlike the fabled Duke's forces, this troop did more than "march right up the hill and then march down again." Before it retreated down the Capitol Hill at nightfall it had secured the promise of Governor Glynn to sign the desired legislation—misnamed the "Goethals Bills"—if it came before him, and in an open hearing before the committees of the State Senate and Assembly charged with the consideration of these bills it had advanced arguments for their passage that should convince any legislators not hopelessly prejudiced by considerations of political expediency.

The Albany pilgrimage was the culminating effort of Mayor Mitchel and his supporters to get for the metropolis a measure and a man—a medicine and a doctor—with enough combined healing power to cure the body politic of the carbuncle that has for generations been its sorest spot—a corrupt and disorganized Police Department. The man is Colonel Goethals, the measure is comprised in five bills, essentially one in effect, which have been popularly named for the Canal-builder because they embody a change in the laws governing the Police Department of New York which Colonel Goethals has made a condition precedent to his acceptance of the police job.

These bills were framed to give the Commissioner of Police final authority to dismiss subordinates, with the exception that members of the Department would have the right to appeal to the Mayor, who appoints the Police Commissioner, for a rehearing by the Commissioner. They would deprive policemen of the privilege of having their dismissal reviewed in a court of law with power to reinstate them. The other bills provide for reimbursing dismissed policemen for money contributed to the Pension Fund, and for earlier promotions to higher ranks on the force.

New York is not alone among American cities with its police puzzle. Wherever there are laws which have not the hearty support of the whole community there is a police problem in some degree, and wherever the disaffected persons are willing to pay for the privilege of breaking laws there is likely to be police rottenness. Wherever, in addition, the engine for enforcing laws is so disorganized that the engineer is unable to control the component parts of the machine and discipline them to their proper functions, there is likely to be what has come to be known as a "system." The police "system" in New York, as the man-on-the-street understands it, consists of a cohesive group of men who sell the privilege of breaking the laws, surrounded by a larger group which, while

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honest, is stultified by the tainted spirit of the powerful and corrupt few.

Furthermore, not only is there a similarity between police conditions in New York and elsewhere in America, but in a number of cities there is in force the same provision for a court review for dismissed policemen against which the delegation to Albany protested. Therefore this attempt to make New York's army of self-protection a co-ordinate force, energized from the Commissioner to the patrolman and founded on direct lines of responsibility from the meanest doorman through swaggering lieutenants and haughty inspectors to the Commissioner again, has more than local interest.

The public hearing on the police bills was held in the high-ceilinged Senate Chamber where had been staged the dramatic trial of a Governor a few months before. The crowd that attended this hearing was almost as interested in the proceedings as that other throng that had packed the chamber to hear the case of "The People against William Sulzer," and to watch the folly of a Tammany Legislature preparing its own death-warrant. But the interest was of a different kind; on the whole, it was more impersonal. The attempt of a New York Mayor to kill a police "system" had certain spectacular features—particularly as the newspapers protruding from the pockets of the onlookers told in lurid headlines of the new lease of life just granted by the Court of Appeals to "Charlie" Becker, convicted more than a year ago for having engineered that most flagrant act of the "system," the murder of the gambler Rosenthal. Still the business at hand was not vital to the immediate welfare of Albany, and the sympathies of the spectators seemed pretty much disengaged.

The opposition had the floor first and unlimbered its big guns at once. William B. Ellison, counsel for the four big police organizations—the Captains' and Inspectors', the Lieutenants', the Sergeants', and the Patrolmen's—led the attack for the police forces.

Job Hedges, Republican candidate for Governor in the last election, his Punch-like profile cut clear against the stained-glass windows in the rear, and his sallies of wit bringing smiles on the faces of opponents as well as supporters, and former District Attorney Jerome, speaking in a frenzy of sarcasm that would have done credit to him in his best prosecuting days, spoke for themselves in opposition to the bill. Other speakers followed Mr. Hedges and Mr. Jerome.

Sifted and summarized, the arguments against the proposed laws fell into two classes, positive and negative. The former were that the passage of the laws would work an injustice to the individual policemen, patrolmen in particular, and that the bestowal of unlimited power on the Commissioner would leave the rank and file at the mercy of his merest whim—in short, that it would disrupt discipline, as no "copper" would perform his duty when every arrest meant another enemy who could poison the Commissioner's mind, perhaps, and have the conscientious bluecoat "broke." What might be called the negative arguments were those that avoided the issue entirely, or at least failed to meet it squarely. Other reforms, such as making the Commissioner independent of the Mayor and giving him a definite term of office, were urged as more needed than the one sought by Mr. Mitchel. Glowing pictures were painted of the policeman's loving wife and little ones, as if the fact of husbandhood and fatherhood was sufficient qualification for a life job with the city. Last, but not least, repeated attempts were made to pique the pride of the committee members hearing the arguments with the statement that it was not necessary to go beyond the city limits to get a good police head.

This point, if any, was brought out as the one upon which the bills were most likely to go to wreck when the slim and youthful Mayor took the floor in defense of his own bills. He told Senator Curren, the presiding officer and Chairman of the Senate Cities Committee, that "we offer you a measure as well as a man, but the measure is paramount."

"That's better," muttered Senator Jim Frawley, half to himself and half to the newspaper correspondents, whose pencils were racing over telegraph blanks on a table almost under his nose.

"If Colonel Goethals were to die to-night, we would still be here, figuratively speaking, urging the passage of these bills," went on Mr. Mitchel; and the Tammany Senator growled, "I should hope so!"

The contention that little injury was done to Department discipline because in the fourteen years from 1899 to 1912 inclusive only 46 men were reinstated by the courts out of 683 who appealed against dismissal had little force, said the Mayor, first, because the bare possibility of outside reinstatement bred a

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spirit of insubordination in the men, and, second, because under the present arrangement the Commissioner dared dismiss only for crimes or open violation of rules, and could not reach the sullenly rebellious policeman who folded his arms and did nothing. In this connection he referred to the case of an inspector whom a former Commissioner knew to be a criminal, and who said to his chief, brazenly, "You've got nothing on me, and you can't break me." Another fallacy exposed was the theory that a policeman had a "right" to an appeal to a law court. This appeal was not a right, but a privilege, granted to the uniformed men of the force in the belief that such grant was in the best interests of the community; but time had proved otherwise, and now the public proposed to revoke the privilege that it had given, said Mr. Mitchel. Furthermore, he pointed out that of 55,000 employees of the city only some 15,000 policemen, firemen, and a few others had this "right," which was not due to bluecoats in recompense for the special risks to which they were subjected, as this consideration was already balanced by the fact that policemen are, on the whole, better paid than other city employees and are the beneficiaries of a generous system of insurance, half-pay when sick, full pay, as a rule, for disability received in the performance of duty, and a pension for their families if they are killed on post.

The rebuttal offered to the argument that denying court review would "let politics into the department" was that it was a good civil service principle that "you needn't worry about the back door so long as the front door is guarded;" *i. e.*, that as long as the Commissioner can appoint only those men handed up to him by the Civil Service officers there is little danger of any kind of favoritism.

However, those who pleaded for the removal of the privilege of court review based their forensic structure mainly on the following propositions: first, that the same principles that apply to the conduct of private business apply to the management of the affairs of the city, which is simply a huge business corporation in the last analysis, and no private employer would brook the interference of a judge, however just, between himself and his employees; second, that it is a mockery to put a man at the head of a department and not give him power to carry out the business expected of him; and, third, that as soon as the Commissioner is made the head of the police in fact as well as in name, the honest policeman will cease to be at the mercy of the crooked policeman and the sale of the privilege to break the law will be reduced to a minimum.

"That the same system that was exposed by the Lexow and Mazet investigations is still in force was shown by some of the remarks at the police lieutenants' dinner a few days ago, and at the same function last year, when the diners rose to their feet and cheered an inspector under indictment who had refused to testify against the other policemen," said the Mayor in the course of the hearing. "If these bills pass, we believe that six months from now the rank and file of the force will admit that we were right, and that the appeal from the Commissioner to the Mayor is ample protection."

Ninety per cent of the opposition to the police bills is the opposition of the policemen and other city employees who have the same privilege of court review or who hope some day to get it. Backing the bills is the overwhelming sentiment of the community and of the disinterested experts who are qualified to testify. Of the former Police Commissioners living, McAdoo, Baker, and Cropsey have come out publicly as favoring the proposed legislation, while, so far as the writer has been able to learn, General Greene is the only ex-Commissioner who opposes it. In short, for the most part the opposition is based on selfishness—a perfectly natural selfishness, however, the same selfishness that leads any man to hold what he has. As it has worked itself out, the issue before the legislators has narrowed to a choice between serving the interests of the whole community or a small part of it; it is a question of the city or the "system."

If the same elements that formed the "fusion" which elected Mayor Mitchel on a platform devoted to the interests of nonpartisan good business administration in New York will back him in his efforts to get such an administration in the Police Department, there will be no question of the success of the most important measure yet proposed by the new administration. The passage of these bills would not usher in the millennium, but it would be a long step in the right direction, and, although he professes not to know it, it would be as much to the advantage of the honest "cop" as to the advantage of the honest citizen.

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"SANCTUARY"

It will be remembered that one of the interesting events in the long war on plumage-hunting—which finally resulted in placing a provision in the last tariff bill prohibiting the importation of the feathers of wild birds—was the performance of Percy MacKaye's bird masque "Sanctuary," at Cornish, New Hampshire, in September last. The immediate occasion which called forth this play was the dedication of a real sanctuary, a bird city of refuge where even the much-maligned crow might retire without fear of the farmers' law which demands a life for a seed of corn. Recently Mr. MacKaye's play was reproduced in New York "with the original cast," which numbered among others two daughters of the President, Miss Margaret and Miss Eleanor Wilson. Miss Eleanor Wilson again took the part of the Bird Spirit, a symbolic figure who feels in her person the wounds inflicted on the feathered folk of the sanctuary. Naturally, robbed of its sylvan surroundings, Mr. MacKaye's masque lost something of its original charm, but it is worth while calling the attention of our readers to the reproduction of this play, if only in celebration of the spirit which called it forth. Bird sanctuaries such as the one at Cornish have proved their worth not only to bird lovers but to the "practical" minded people as well. We recall a recent instance when a whole district in Germany was almost defoliated by insect pests save in the immediate vicinity of such a refuge for bird life.

Elsewhere in this issue appears a picture of a dancing dryad from Mr. MacKaye's masque. The poem which follows has for its theme the sanctuary at Cornish. It should appeal to the partisans of both winged folk and winged words.—THE EDITORS.

Every wild wing of the hunted, the harried,
Every fleet foot of the stalked, the pursued,
Every bright eye of the fearful, the followed,
Solace may find in this blithe solitude.
Here the wings fold by the peace of the water,
Here the feet pause in the woodland's deep calm,
Here the eye rests; for the woods and the waters,
Friendly and welcoming, offer their balm.

Where the trees dip to the wide placid water,
Where the reeds bend to the stately slow tide,
Where the moon rises o'er leagues of dim woodland,
Glimmering greenly,—here may they abide.
Hither they speed over moorland and mountain,
Wary and valiant, far-sighted and brave;
Hither they come at the call of compassion,
Here may they rest in the wood, on the wave.

Beautiful wings of the air and the river,
Wonderful eyes of the forest and glade,
Marvelous voices a-tune with the dawn-wind,
Welcome, ah, welcome, to sun and to shade!
Here you may have the desired, the cherished,—
Only the longing in freedom to live—
Here in this happy place stayed is the hand of man,
Opened the heart of man,—refuge to give!

ARCHIBALD RUTLEDGE.

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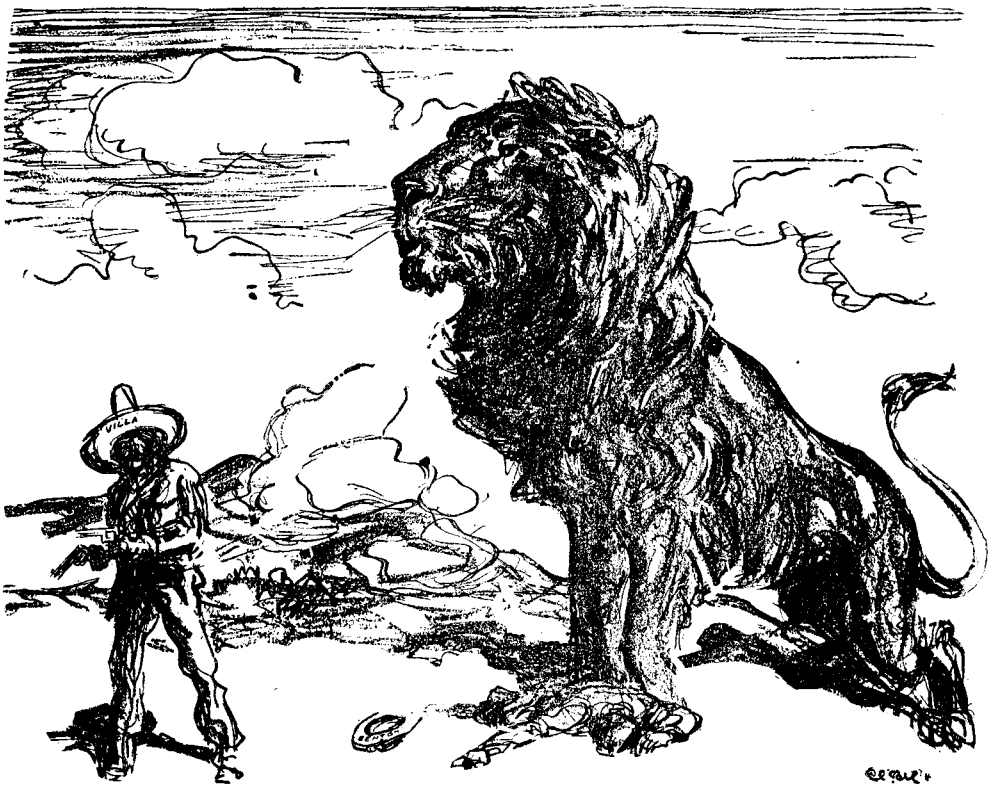
Current Events Pictorially Treated



SOMETHING MAY HAPPEN NOW

—Cartoon by Cesare in the New York Sun

The killing of a British subject, W. S. Benton, in Mexico by the revolutionary leader Villa has become an international event, because wherever British subjects go the British Government keeps watch over them and their rights. An editorial on this event is to be found elsewhere in this issue

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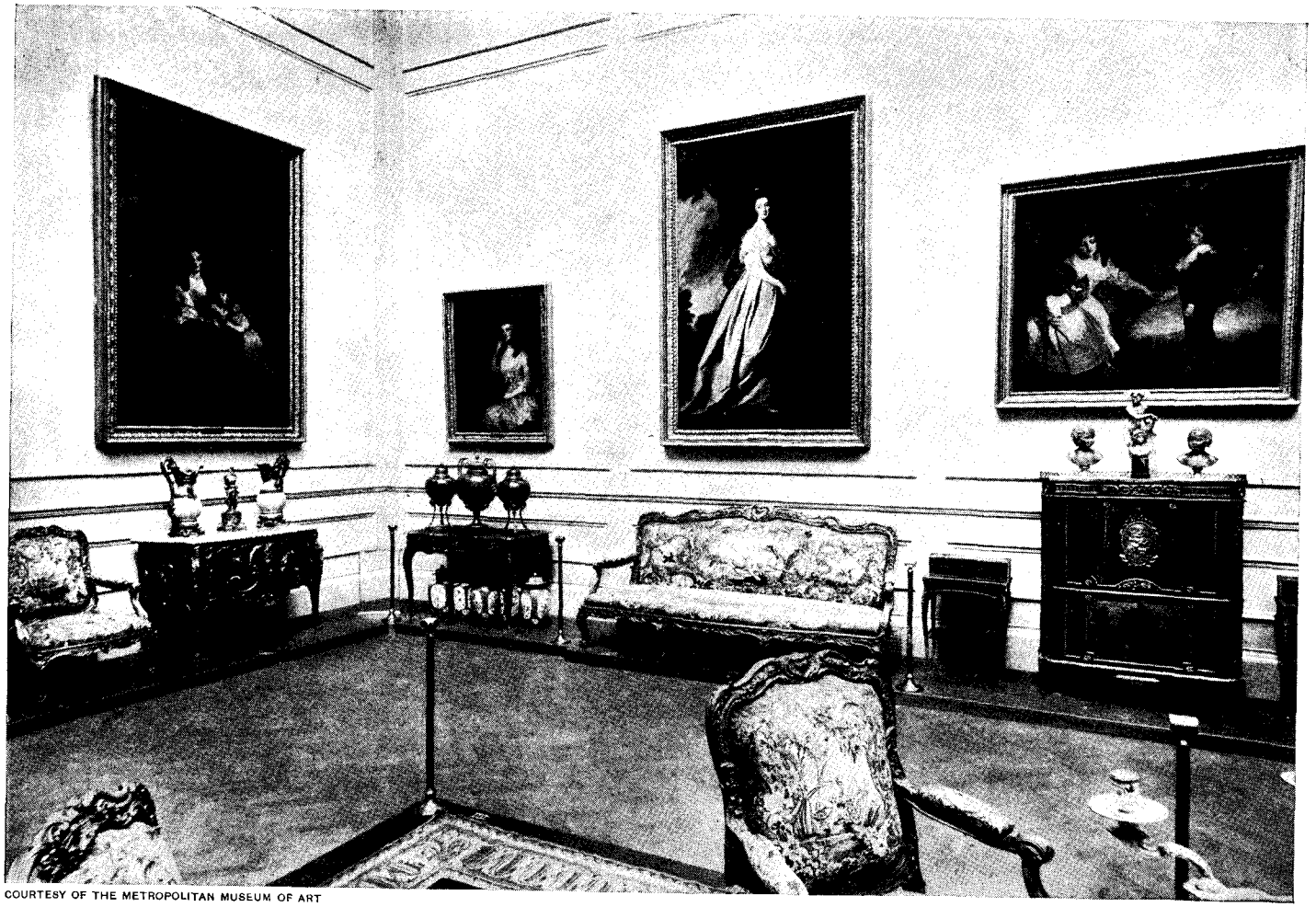

COURTESY OF THE METROPOLITAN MUSEUM OF ART

A CORNER OF THE ROOM DEVOTED TO EIGHTEENTH-CENTURY ENGLISH ART

THE MORGAN COLLECTION ON VIEW IN NEW YORK

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SAN FRANCISCO BURNS OPIUM PIPES AND "DOPE" CONFISCATED BY THE CITY AUTHORITIES

PHOTOGRAPHS BY UNDERWOOD & UNDERWOOD

NEW YORK CONSIGNS ITS "GUNMEN'S" WEAPONS TO THE DEPTHS OF THE SEA

GETTING RID OF ENEMIES OF THE HUMAN RACE

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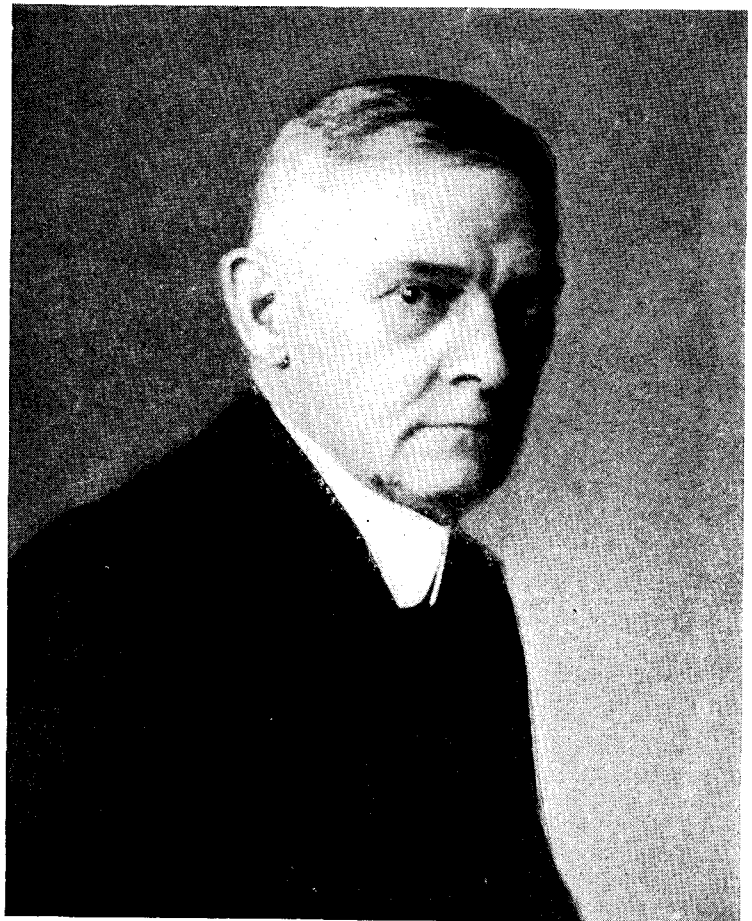

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EDGAR E. CLARK

Chairman of the Inter-State Commerce Commission. The picture shows Mr. Clark at his desk in his office at Washington

PHOTOGRAPH BY APEDA STUDIO

HENRY W. THORNTON

This successful American railway man was recently appointed as the head of the Great Eastern Railway of Great Britain. See editorial pages

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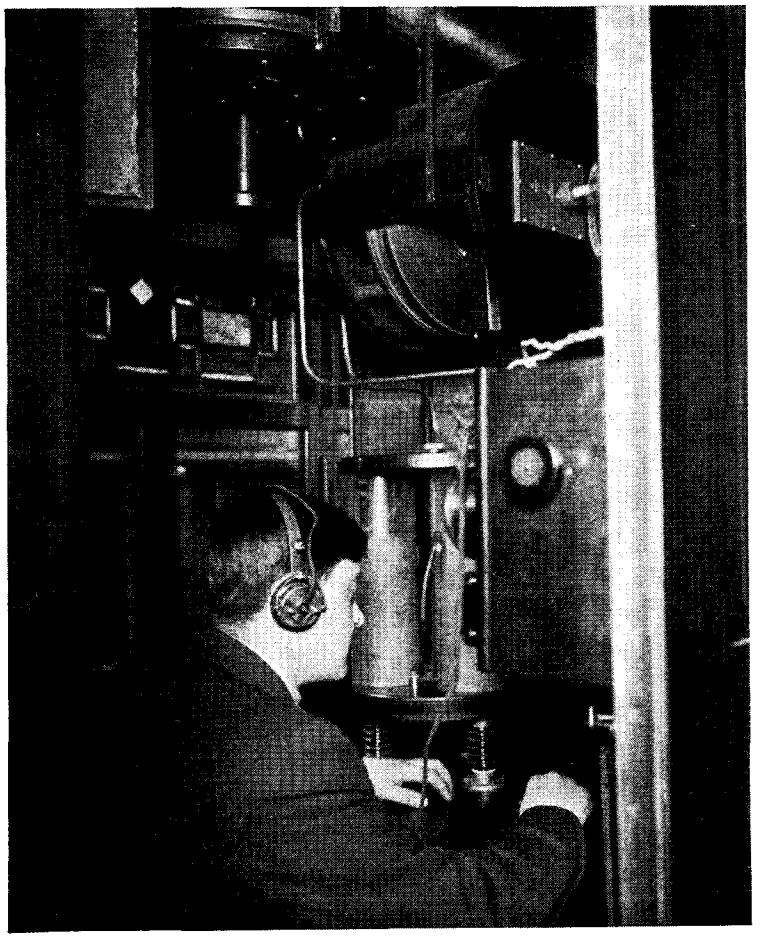
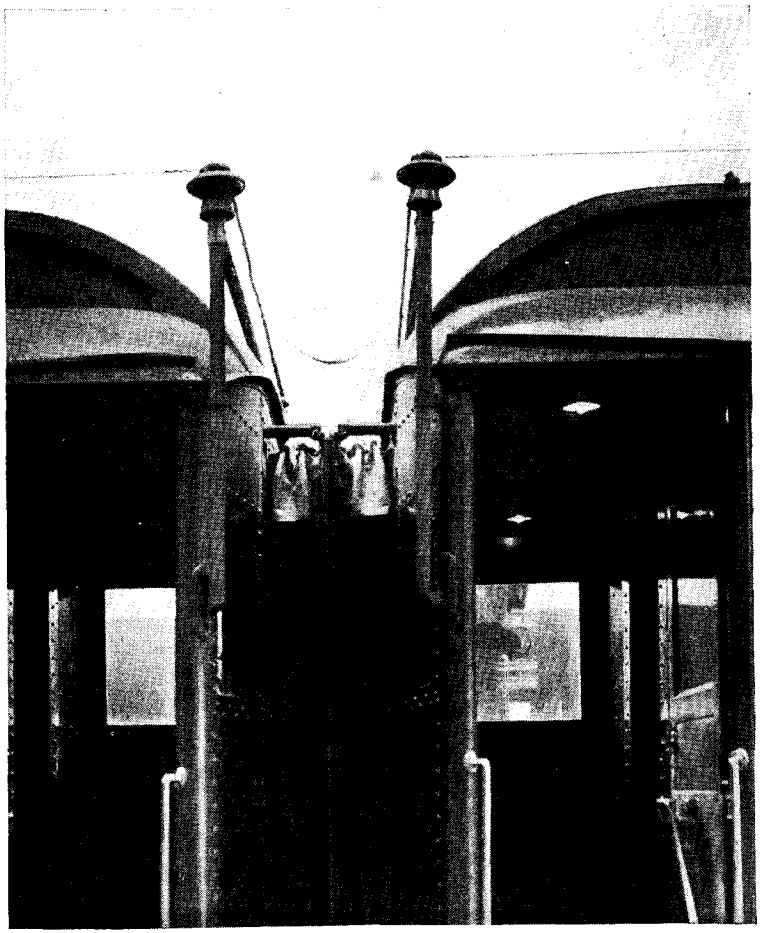
DRURY COLLEGE LIBRARY
Springfield, Missouri



THE OPERATOR AT HIS WORK



THE ANTENNÆ ON THE CAR FOR RECEIVING MESSAGES

THE WIRELESS TELEGRAPH ON THE RAILWAY

The wireless has recently been installed as a part of the equipment of the Lackawanna Railroad
See editorial comment

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TACITA, THE DRYAD
AS REPRESENTED BY MRS. JULIET BARRETT RUBLEE, IN "SANCTUARY"

"Sanctuary," Percy MacKaye's picturesque bird masque, was first given in Cornish, New Hampshire, last fall. It has recently been repeated in New York City, under the patronage of Mrs. Woodrow Wilson and an Honorary Committee. Two of the President's daughters, Miss Margaret and Miss Eleanor Wilson, also took part. See poem and brief account printed elsewhere in this issue

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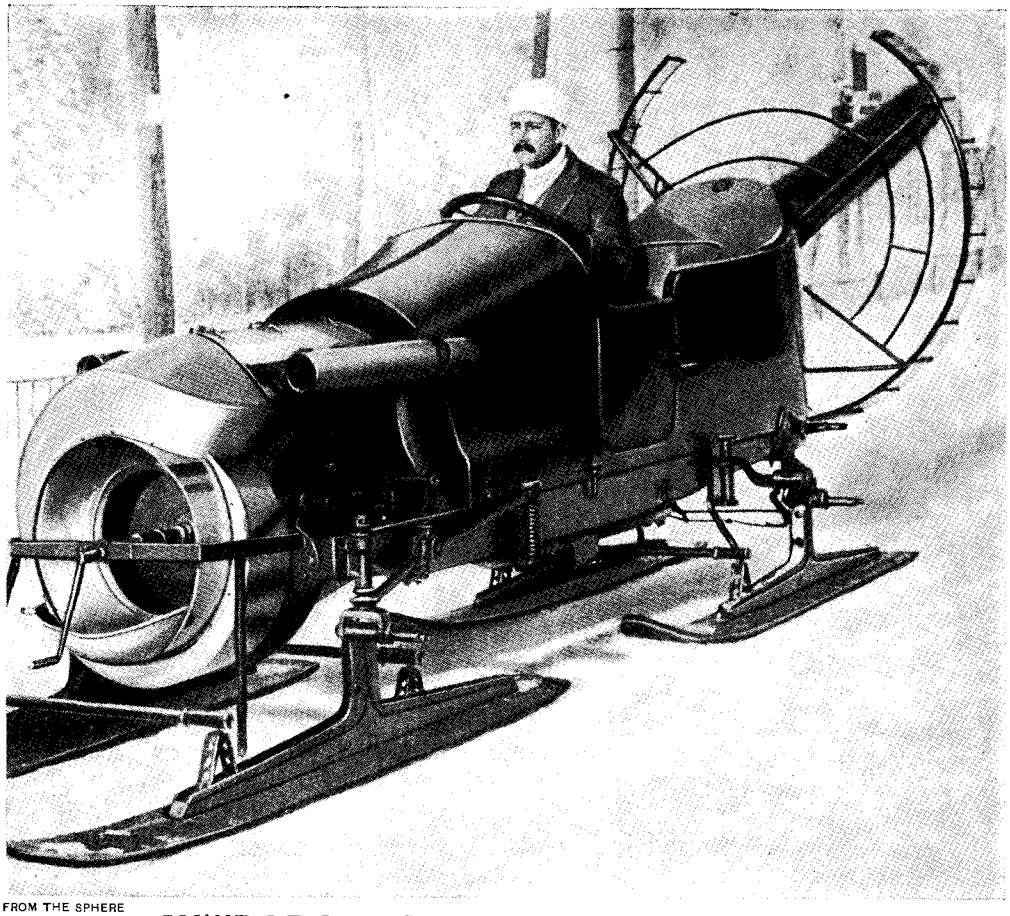

FROM THE SPHERE

COUNT DE LESSEPS IN HIS NEW MOTOR SLEIGH

Count de Lesseps, who is a son of the famous canal builder, has constructed an air-propelled machine which is capable of attaining a speed of 60 miles an hour over the frozen snow. The propeller behind the driver is guarded by a metal screen, as seen in the picture, to prevent accident

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NEW YORK CITY SNOWBOUND

Not for several years have New York streets been so clogged by snow as during the latter part of February. Two successive storms, aggregating what will seem to some readers the moderate fall of about 15 inches, paralyzed traffic for several days

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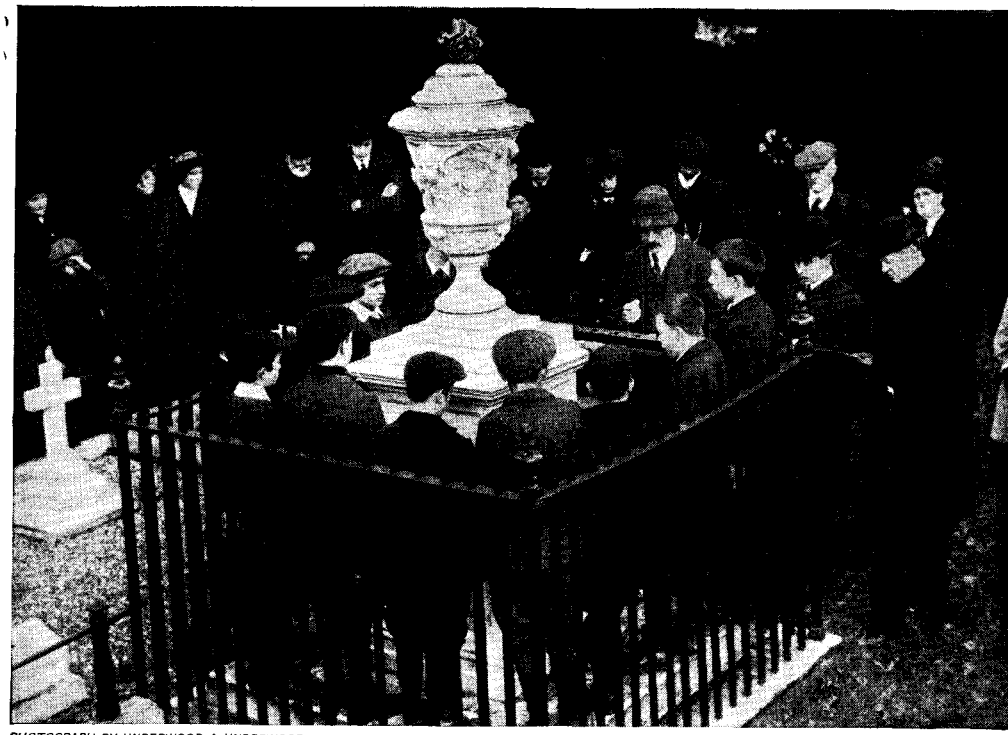
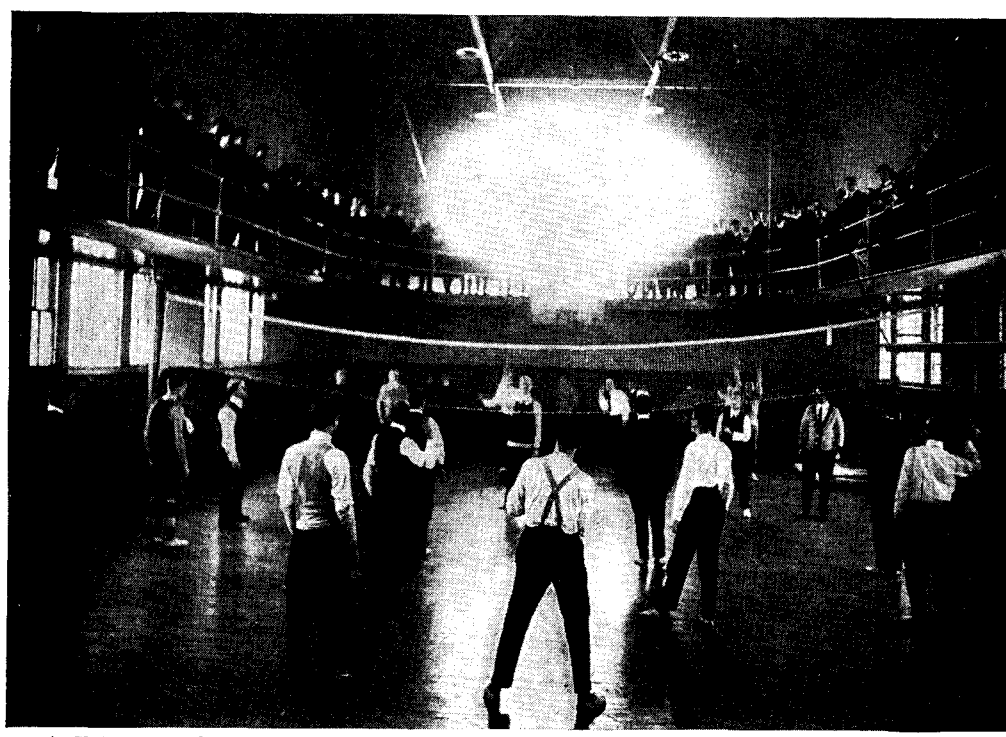


PHOTOGRAPH BY UNDERWOOD & UNDERWOOD

ENGLISH BOYS RECITING THE LORD'S PRAYER AND THE TEN COMMANDMENTS AT THE GRAVE OF A RESIDENT OF WOOTTON WHO TWO HUNDRED YEARS AGO LEFT A LEGACY FOR THIS PURPOSE



A CLASS OF MINISTERS AND DIVINITY STUDENTS AT MADISON, NEW JERSEY, STUDYING "ORGANIZED PLAY" FOR THE BENEFIT OF THE BOYS OF THE COMMUNITY

CONTRASTING IDEAS OF RELIGION FOR BOYS

See editorial pages

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THE DIPLOMATIC SERVICE—ITS ORGANIZATION AND DEMORALIZATION

BY AN AMERICAN DIPLOMAT

DURING my experience in the Diplomatic Service I have observed a frequent confusion of it with the Consular Service. It may therefore not be out of place to point out here that the Foreign Service of all countries has two distinct branches, the Diplomatic and the Consular Services.

The functions of the former are strictly political; those of the latter are essentially commercial. The work of a diplomat is to transact the business that arises between his Government and the Government to which he is accredited, to safeguard the rights of his country and jealously to watch over its interests. His mission is to cultivate close and cordial relations between the two governments, thereby paving the way to the peaceful elimination of any misunderstanding. He transacts the business of his Government by intercourse, and especially by verbal and written communication with the Government to which he is accredited, relying upon his tact and discretion, and upon the good relations which he is able to establish and maintain.

Adequately to safeguard the rights of his country, whether inherent or arising out of contract, he must know what those rights are, and when and how they may be invoked. He carefully acquaints himself with the legislation and with all the public acts of the Government of the country to which he is sent. He observes their bearing upon the rights which his own country enjoys. He is the ever-present and watchful attorney of his Government, vigilantly attentive to his principal's interests—nay, more, he is the Government, or the chief executive, in person, treating directly with the other Government.

On the other hand, the duty of a consular officer is to further the commercial interests of his own country in the country of his residence, and to minister to the immediate needs of his fellow-countrymen in his district.

He facilitates the commerce of his country by a great variety of clerical routine acts incidental to shipping and trade; he furthers his country's commercial interests by supplying information requested by the business men of that country or by the Department of State, and also by frequent reports upon the business conditions existing in the country of his residence; he ministers to the immediate needs of his countrymen in his district by administering the estates of those who die within his jurisdiction, by friendly intervention with the local authorities in case of prejudice to those living there, and by other similar acts. He serves the material business interests of the citizen, facilitates his existing trade, and finds new trade for him.

The helpful suggestions of the consuls are communicated to the public by the Government in the daily consular reports, and are communicated directly to individuals in special cases.

The work of the Diplomatic Service is less patent, its results are less evidently concrete. They are not systematically communicated to the public; indeed, they are in large measure discreetly withheld from it. For this reason a very ready ear has been turned to facetious assurances that the Diplomatic Service is superfluous, that it is more ornamental than useful, etc. For this reason, too, politicians have been able to divert diplomatic posts to party ends, to use them for patronage, and, by filling them with unqualified persons who discredit the offices, to continue to discredit the Service itself in the minds of the uninformed.

Such articles as that of Mr. Blythe in the "Saturday Evening Post" of January 10, 1914, for instance, have been numerous and have found ready readers. With their half-truths and misstatements such articles serve only to befog the minds of those readers.

WHAT THE DIPLOMATIC SERVICE IS

It is not an easy thing to explain the functions and needs of the Diplomatic Service. Suppose we define the Service as a permanent corps of representatives of the Government maintained at the capitals of the various foreign governments to transact the business of our own Government with those other governments, to supervise the rights and interests of our country in the countries of their residence, and, with the equipment of experience and acquaintance with language, law, and usage there, to create a continuous

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atmosphere of conciliation, good feeling, and friendly relations, in which international misunderstanding can readily be avoided or dispelled.

This definition is, I hope, comprehensive. Yet its full significance will hardly be grasped by the layman at once, nor will the value of the Service at once be evident from it. In fact, no amount of defining can ever make the far-reaching importance of the Service apparent to the man-in-the-street. He demands something concrete.

Few moments in our history have offered instances more replete with possibilities for concrete service than the present.

Take, first, the Mexican situation, which overshadows by the magnitude of injury done and by potentiality for evil all other foreign problems. It was the duty of a trained and experienced Diplomatic Service to guide the two countries through such a crisis.

Take, next, our recent misunderstanding with Japan. The immediate occasion of this misunderstanding was such as might perhaps be considered beyond the ken of the diplomat, though a vigilant diplomacy might have read the signs of the times in the growing clash of races on our Pacific Slope and anticipatory measures might have been adopted to forestall the action that precipitated the misunderstanding. Be this as it may, it was the work of diplomacy to smooth over the difference once it had arisen and restore the good relations that should exist between the two countries. This has not been done.

Thirdly, the newspapers report that we have attempted to compound our difference with Colombia for a consideration of $25,000,000. There are reasons why such a report should be discredited. Yet there has been a difference with that Republic which should not have existed. We should have been spared the friction which has resulted. That was work for the Diplomatic Service.

These three concrete examples serve to make clear the nature of the work of the Service. Such situations are potentially present at every moment. The evil consequences of international misunderstandings are incalculable. From the three illustrations above given it is apparent that diplomacy, in its way, serves the commerce of the country even more vitally than, though not so concretely as, does the Consular Service. For how many American millions in property and in trade have not been sacrificed through the present Mexican situation? And all this should have been saved, and to it should have been added the increment of uninterrupted trade during the past two years. Upon this should be piled the profit to result from the development of additional interests upon the satisfactory guarantees which a competent diplomacy should have produced. Hence, when the press of the country makes light of the Diplomatic Service, it simply spits upon the country's bread and butter!

Why has diplomacy failed in the three cases above mentioned? Because a trained service cannot be organized in a moment. Some ten years have been necessary to organize the lower grades. To control and direct the Mexican and Colombian situations we should have had an organized service operating with full efficiency for the past twenty or more years. And we should have had a continuous, consistent foreign policy. And our Government should have learned to rely upon and work hand in hand with its Foreign Service. And this it has not done.

ORGANIZATION OF THE DIPLOMATIC SERVICE

The work that the Consular Service performs being concrete in its nature, the value of the assistance rendered to trade was appreciated by the business men of the country in proportion as they began to look for foreign markets. It was from this source that the demand for the organization of that Service on a permanent, efficient basis emanated. This demand took emphatic form as soon as the bulk of our foreign business had become great enough materially to interest different sections of the country. The work of the Consular Service touched the pockets of the people, and they responded with a demand for results, and, to that end, for organization.

As the work of the Diplomatic Service does not so patently touch the pockets of the people, its value to the trade of the country is not so evident. Its importance was appreciated first by the Government, which took up and carried on a campaign of education. The impulse to organization thus came from within. During the past ten years the work of organization has been vigorously pushed. I have been a witness to it. Years ago the lower grades of the Service—the secretaryships—were filled almost without exception by wealthy young men who commanded the necessary political influence to secure their appointments, who wanted them mainly for social ends and cared but little for the duties

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of their offices. The higher posts of Minister and Ambassador were filled, in return for services rendered to the party in power, with political appointees who "enjoyed the office" without any peculiar fitness for it. A secretary was never advanced to the rank of Minister.

President Roosevelt's executive order of November, 1905, provided that "appointments should be either by transfer or promotion from some branch of the Foreign Service, or upon the successful passing of an examination."

President Taft's executive order of November, 1909, perfected these rules. A thorough entrance examination was prescribed. General rules as to transfers were laid down. A Board of Examiners, consisting of officials of the State Department and the Chief Examiner of the Civil Service Commission, was established. It was directed that each State and Territory should receive, so far as practicable, its due share of appointments, and that "neither in designation for examination nor in appointments after examination should the political affiliations of the candidate be considered."

In order to carry out this order an Efficiency Bureau was established within the Department of State, in which an accurate and impartial record of each member of the Service was kept. Everything that could tell for or against such a member was entered in his record. Information was sought and obtained from various sources. Ambassadors and Ministers were called upon annually for an impersonal report concerning the secretaries under them. Upon this record promotions were made, and it was distinctly intimated that any attempt to secure preferment through the use of influence would tell against the person seeking such influence.

These lower grades were withdrawn from patronage. The secretaries were taught—and most of them were glad of the chance—to depend upon their merits. The efficient secretaries were then advanced and the lower grades renewed after examination.

As the ranks became filled with satisfactory material the secretaries of long service, who had proven their ability, were gradually given missions—that is, were made Ministers—their places being again filled from the lower grades. When President Wilson took office there were about a dozen Ministers in office who had been promoted from the grade of secretary on their record. The work of organization was complete up to this point. To attain it the Presidents had erased from the slate of patronage the sixty-one posts of Secretary of Embassy and Legation and were ready, as soon as the work of organization should so far develop, to yield to this organized service all the forty-one or forty-two ministerial posts, and, indeed, had actually relinquished to it a dozen of them. The seventy-odd posts thus relinquished as patronage were, politically speaking, "sacrificed" in the interests of efficiency.

This organization rested only upon executive orders, which had no force beyond the term of the Presidents issuing them. But, as we have seen, President Roosevelt's executive order was respected and confirmed by President Taft, and the organization of the Service was pushed. In carrying through the details of this work great credit must be given to Mr. Huntington Wilson, who devoted himself to the task with ability, disinterestedness, and fearlessness. This at the time brought him scant thanks and a good deal of unpopularity. The work was carried through in the face of considerable opposition in Congress. A Senator of the old school once said to me that he could not make out what they were trying to do over in the State Department. The new move was so radical a departure from the old political ways that the Senator was at a loss to comprehend it.

This systematization of the Service was but a part of the work of organization. Hand in hand with it went the reorganization of the Department of State itself. For the efficient handling of our foreign affairs four divisions, or bureaus, were established: namely, the Western European, for Europe west of Germany and Austria-Hungary; the Near Eastern, for the countries to the east, including Persia and Egypt; the Far Eastern, for the rest of Asia; and the Latin-American. At the head of each division a man of ability and experience in the particular field was placed, and to assist him a number of secretaries were called from the field. To the Department's personnel there was also added a Counselor and a resident diplomatic officer—a Minister called in from the field—as general advisers. Such an organization as this could not fail to receive the approval of any one of large experience who knows how necessary careful organization is to the efficient handling of an extensive business. The work of the Department has increased enormously of late years, and no less an organi-

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zation than that outlined above is competent to handle it.

Unfortunately, Congress stood in the way of the full realization of this plan. It would not give the Department a free hand in calling home secretaries and in detailing them for work in the four bureaus. This difficulty was overcome only by detailing these secretaries as clerks and paying them out of the appropriation for clerk hire. Some eighteen months ago the provision for the resident diplomatic officer was withdrawn.

Despite this opposition, the reorganization of the State Department multiplied the efficient treatment of our world problems; but, aside from its value to the Department, I want to make clear its value to the organization of the Diplomatic Service in particular. Previous to this the men in the field were working in the dark. Of the workings of the Department they had no knowledge. They had no knowledge of what their colleagues were doing, even in the neighboring countries. It was a common thing to have to go to one's British colleague for accurate information concerning matters of one's own Government's action. The reorganization of the Department removed this difficulty by establishing a bureau for the dissemination of information, and with the service of Ministers and Secretaries in the Department familiarity with its methods was obtained.

Another five or six years would have seen this work of organization completed. Young men entering the Diplomatic Service, upon examination, would pass through the various grades, if they proved themselves capable, say, from Third Secretary of Embassy to Second Secretary of Legation, to Second of Embassy, to First of Legation, to First of Embassy, to Minister Resident, to Minister Plenipotentiary of the Second Class, then of the First Class, and ultimately to Ambassador. A Secretary would have to divide his time among the four fields into which the Foreign Service is divided. Entering the Service at, say, the age of twenty-five, he would have from fifteen to twenty years of varied service before he became Minister, and another ten years of service before he could be considered for an Ambassador.

Is this bureaucracy? It is organization—the organization of our army and navy; the organization of our railways, whereby a man rises from section boss to the presidency of the road.

The manifestations of this organization of the Diplomatic Service cannot be fully appreciated by those who have not been a part of the Service and seen it from the inside. It produced among the Secretaries and Service Ministers—the Ministers who had risen from the ranks—a body of serious, hard-working, representative men, disinterested servants of the Government, who had lost all party affiliations, men who had come to their profession with special equipment, who were working in hard but fair competition with others of like equipment and ambitions, contented to stand on their merits and respecting their profession, because for the first time in our history it was a profession and no longer a political job.

Another manifestation of the organization of the Service was the respect that it inspired abroad. Years ago the position of the American diplomat was one of apology for the system that was behind him. The sudden changes at a Legation or Embassy were no matter of surprise to foreign colleagues and governments, but they were the object of constant ridicule. The American diplomat commanded no respect, and was exposed to constant humiliation and gross slights, which the system naturally entailed. As was recently said to me by a person in the Government: "Physically all the world respected us, diplomatically no one respected us."

The Foreign Offices of other countries, unable to treat seriously with such a Service, sought to profit by the inexperience of each new representative; and, worst of all, the Department of State itself reposed no great confidence in its own emissaries.

Now, for the first time in our history, we have seen our representatives abroad commanding the respect of a trained service; we have seen our Ministers revolting at the custom of offering their resignations upon a change of administration, thereby proclaiming themselves a part of an organized Service, not the recipients of political favors; we have seen this body of serious men so appreciated by the governments to which they were sent that, in some cases, efforts were made by those governments to induce the Administration to leave those Ministers undisturbed.

THE DEMORALIZATION OF THE SERVICE

The present demoralization of the Diplomatic Service is due to a deliberate return on the part of the Administration to the spoils system in its crudest form.

There are some one hundred posts in the

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Service. As has been explained, some seventy of these posts had been removed from politics by the preceding Administrations, and the rest were to be so dealt with as soon as the available material to fill them could be produced. In other words, seventy per cent of the posts were embraced in the organized Service, including about a dozen Ministers, when President Wilson took office.

With a ruthless hand these Service Ministers were swept out and replaced by men of no qualifications for their work. The case of the new Minister to Santo Domingo has been sufficiently ventilated in the newspapers to need no further mention here. One of the new Ministers to a Latin-American port has shown himself so incompetent that an experienced secretary was sent to instruct him in his duties. One, at least, of the new Ministers to Latin America is known to have come to Washington in quest of a "job" in the Customs Service. He was made Minister to a small republic. He protested, saying that he had no qualification for diplomacy and knew nothing of the work of a Legation. This was of no avail, he was compelled to accept. A job was a job! It was a $10,000 job; what more did he want? Of one appointee in the field of our delicate relations with the other Americas it is said that "since the day of his arrival at his post he has hardly known a sober moment; his vice and vulgarity have caused consternation there." And this report is confirmed from other independent sources. This man has succeeded a Service Minister of irreproachable record, public and private.

One of the results of the organization of the Diplomatic Service was that young men of limited or no means were induced to enter it. They made their way by persistent, disinterested labor. More than one of them is now on the street looking for a job. This is the reward of years of hard work and of the efficiency that brought them promotion.

With the removal of the Service Ministers goes the demoralization of the body of secretaries. They see those of their number who have made their way rewarded with removal. There remains, in consequence, no incentive to efficiency; a premium is put upon inefficiency. One of the secretaries recently said to me: "Since the Service Ministers have been removed there is nothing in the Service. I shall take the first opportunity to get out." Another said to me some two months ago: "There is no use in being sentimental. We have no Service now. The only thing to do if you want to remain is to go to your Senators." A third said to me very recently: "The Service is gone. I am considering going back to my home State and entering the fight for good government." These remarks reflect the minds of the secretaries. They know that they can no longer stand on their record. All effort is futile. The words "merit" and "efficiency" are already forgotten.

It is said to be the hand of the Secretary of State that has been apparent in this work of demoralization of the Service. Without exception the press of the country has charged it up to Mr. Bryan. If it is true, as it seems, that the Latin-American ports have been turned over to the Secretary while the President has retained the European ports, all the gross incidents above cited fall within the offices of the Secretary's "gift;" and the new appointments to Latin America are in general such as to bring a blush of shame to the cheek of every high-minded American.

Yet the ultimate responsibility for this work of demoralization rests with the President. He is responsible for Mr. Bryan's acts. More than this, Mr. Wilson has bought the Bryan-controlled votes of Congress with the patronage which he has turned over to the Secretary of State. If the President has thus secured the legislation which he desired to have enacted, he has bought it with tainted money. Upon the President's shoulders rests the ultimate responsibility for the demoralization of the Diplomatic Service, for our consequent loss of prestige abroad and for the present menace to our foreign relations, and it is of no avail to attempt to shift it to Mr. Bryan, who perhaps knows no better.

Those who have charged to Mr. Bryan this blasting demoralization of the Foreign Service have blinded themselves to the facts and are nourishing the vain hope that the President, when the urgent affairs which have occupied his attention are disposed of, may repudiate the acts of his Secretary and restore the Service, calling back into it the efficient men who have been driven from it. Such a work is still possible, though it is hardly logical to expect it from one who has shown himself so indifferent to the judgment of the people, so careless of the foreign needs of the country as to overthrow the most important branch of the Government for international affairs, so lacking in moral standards as to enter into a barter of public office for political services and the purchase of legislation at the cost of

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the country's prestige abroad, and who cares so little for the good name of his Administration as to make it a byword in the mouths of the nations through the humiliating representation which he has chosen to send abroad. Would that this fear might prove ungrounded! Certainly no act of the present Administration has done so much to destroy the confidence of right-thinking men in it as has this treatment of the Diplomatic Service.

Perhaps that confidence could still in part be won back by a step in the direction of the redemption and further organization of that Service.

BLACK AND WHITE IN THE SOUTH

THE BASIS OF ADJUSTMENT

BY A SOUTHERN WOMAN

*The author of this article is a daughter of slave-owners. She was fifteen years old when she first began, as she says, "to explore the purlieus of some Northern tenements." The sight of the slums in this Northern city stirred her to wild revolt against the social wrong. She tried to interest good people in changing these conditions, but they did not believe that it was possible to save the slums, but only to save some slum-dwellers' souls. And she became homesick for the Southland, where there were then no child laborers nor sweat-shops nor white slaves. She did not realize that the South had not yet come to the stage when it would have to deal with these problems. She lost respect for the North. Then out of that welter of indifference emerged in the North a new social conscience, and she found that, after all, the North was "a glorious big brother." She saw that the North had had a social conscience about slavery, but was very slow in getting a social conscience about its own sins; and then she began to ask if the South was not in the same stage, and was having a social conscience about the sins of the North and forgetting about the cook's black baby. She thinks that the time of isolation is past; that the South should no longer think of the Negro as a peculiar burden, but as a part of a world-wide task—the task of dealing with the poor and the ignorant. A book by the author of this article, entitled "In Black and White," will shortly be published by the Fleming H. Revell Company. This article will be followed by one from Booker T. Washington, which also takes up the question of "Black and White in the South," but from the Negro's point of view and with special reference to the subject of education.—*THE EDITORS.

IN a newspaper of a Southern city I read recently a report of the court proceedings of the day before. The first case tried was that of a white man, some thirty years of age, who had violated the white slave law. He had abducted a girl of sixteen from her home and was using her for immoral gain. The judge, in sentencing him, had dwelt at length on the preciousness of that of which the child had been robbed; but added that he had decided to make the sentence a light one, because the law was new and not very widely understood. He gave the man one year in prison.

The next case, according to the paper, was that of a Negro boy of twenty. He had stolen eleven dollars and forty-six cents. The evidence was convincing, but the judge said he would give him also a light sentence. His reason was not, as it might have been, that the law against the offense was new. It is just as new as the other one, having been formally promulgated at the same time on a mountain in the Sinaitic peninsula. But the judge's reason for mercy, he said, was that the evidence clearly showed that the boy had never had any chance in life. His parents had both died in his infancy, and nobody else had wanted him. He had grown up, no one knew how, beaten from pillar to post, uncared for, untaught. So the judge decided on mercy and gave him three years.

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I do not at this time raise the question of the wisdom of time sentences in these or in any cases. The point is that the value of a child's honor and a mother's happiness, when stolen by a mature white man, was assessed at one year in prison, and the value of eleven dollars and forty-six cents, when stolen by a young Negro waif, was assessed at three years in the same place. The judge is a man who has, I believe, a sincere desire correctly to administer the law in his high office; and law and justice are to him synonymous words. He thinks in terms of law, not in terms of humanity.

Some months ago I was visiting friends when a son of the house, a university student, came in with a story of a morning spent in the city court. Some case was pending in which the students were interested, and a body of them had been in attendance all the morning. A number of cases concerning Negroes had been disposed of before theirs was called.

"I tell you," he said, summing the morning up, "a 'nigger' stands no show in our courts."

He was evidently shocked by the fact, and so was the family. They are people far above the average in intelligence, in loving-kindness, in culture, in self-sacrificing personal service to the individual poor, both white and black. But courts of law were without the pale of their personal responsibility; their personal conscience, quick and beautifully responsible in any individual matter, merely condemned this wrong and laid it aside. There was no sign of a social consciousness; of any sense that if anybody stood no show in their courts it was a community sin for which all members of the community were responsible, and which the community could change if it would. They did not see that they had any duty in arousing the community to consciousness of social wrong. If any individual one of the many Negroes known to them had been brought before the court that morning, they would have done just what I have done in days when I had no more social conscience about Negroes than they had: they would have seen him, or his family, beforehand, and asked some good lawyer, a personal friend probably, to see that the Negro had justice. The lawyer, who would not be in the habit of taking such cases, of course would do so cheerfully and without remuneration, partly to oblige a lady, but largely, too, for the sake of protecting a Negro who had become individually known to him, and who therefore appealed to his personal conscience.

Cases of both kinds are common all over the South. A Negro who gets in jail will send for "his white folks" first thing, if he is fortunate enough to have any. And they come, man or woman as the case may be, practically without fail. And often, when they come, the Negro gets less than justice in the courts in the sense that he is let off with a reprimand or a small fine when the law would call for something more.

But the very great majority of Negroes who come before the courts have no white folks to send to. Our criminals, like the criminals of every country, come chiefly from the economic class which lives on, or over, the poverty line—from our "submerged tenth." The large majority of those in this economic class in the South are Negroes—a fact which has resulted in our confusing the poverty line with the color line, and charging Negroes racially with sins and tendencies which belong, the world over, to any race living in their economic condition. But it is just the Negroes who belong in this economic class, those Negroes who form our submerged tenth and who furnish the most of our criminal supply, whom we white people do not know, and who consequently have no white folks to send to, to see that they are protected in the courts. Oh, there is the Negro problem, and the solution of it! The poorest, the ones least able to resist temptation, the most ignorant, the folk unhelped, untaught, who are born in squalor, who live in ignorance and in want of all things necessary for useful, innocent, happy lives—they do not know us, nor we them!

In that sense the Negro problem is peculiar. Otherwise, though complicated by our race prejudice rather than by our legitimate race consciousness, it is an integral part of the world-problem of strength and weakness dwelling side by side, with the great Law overhead laying upon us the necessity of working out a state of civilization which shall embody the spirit of human brotherhood and secure justice and opportunity for all. There is nothing peculiar in that. The call to this duty is world-wide; the obligation we share with all the privileged of earth. The peculiar thing is that we alone of all the privileged of Christendom have no widespread sense of obligation to achieve this task.

For we honor the privileged of other places who do this very thing. Any of us would

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have been proud to know Tolstoy, not just as a writer of books, but as a great man willing to forego greatness and to give his life to ignorance and squalor and want. We are proud of Miss Jane Addams, formerly of Chicago, Illinois, but now this long time of the United States of America, North and South. But a Jane Addams among the Negroes—the slum Negroes, folk of that very economic class for which she spends herself at Hull House— There is no more to be said.

Ah, but there is! We are only at that border line of adolescence where a social conscience may stir in the heart's soil and begin to reach upward to the light. We will know our slum folk yet. And that knowledge will be part of the basis of the adjustment which is to come.

A recent incident told me by a friend, one of the chief actors in it, throws light on present Southern conditions at several points.

This friend lives alone with her servants on her old family plantation a few miles from one of our greatest cities. Her cook's husband, a trifling Negro and a steady drinker, had hired himself to a near-by farmer for whom the whites of the neighborhood had scant respect. The man kept a plantation store where his "hands" could obtain provisions and whisky as advances on their wages, settling with their employer at the end of the week or the year. Until poor folk learn co-operative buying, after the English and Continental method, these master-owned stores are a necessity in the South, as they are elsewhere; and here, as in Western lumber camps or Eastern mines and mills, monopoly tempts some to extortion. In such cases the Negroes are never out of debt, from year to year, their own fondness for whisky being often as potent a reason for that fact as the storekeeper's greed. The storekeeper usually furnishes the whisky which keeps them such unremunerative laborers; but his profit on the whisky makes up for that.

The farmer in question appears to have been an employer of this type; and the Negro, whose poor wages fully paid for the work he did, was soon deep in debt. He decided to hire out somewhere else, and his contract troubled him no whit. He told his second employer of his debt to the first; and the man, according to custom, agreed to stand for it to the creditor by withholding part of the Negro's wages while in his employ, and paying it on the debt. Ordinarily this would have released the Negro, as few people try to get work out of one, contract or no contract, who is unwilling to give it. But the first farmer needed his "hand," and had, apparently, not even a personal conscience or a rudimentary respect for law. So he kidnapped the Negro on his way to his new employer, gave him a hard beating, and set him to work on his own farm, threatening him, the Negro said, with far worse if he left the place again before the year was out. He even kept him at night until my friend, finding where he was, sent the farmer orders to allow the man to come home as soon as his day's work was done.

My friend is a frail little body, but accustomed to being obeyed; and the farmer did as he was bid. The Negro, however, shirked his work, and once more roused his employer's ire. This time the farmer came to the cabin in my friend's yard one night after she had retired. He brought a rope with him, without expounding his reason therefor, and ordered the Negro to get up and come with him. My friend went out and delivered as her ultimatum a demand that the Negro be formally released from his contract on the spot. Her simple fearlessness forced the white man's consent; and she gave him, in return, her personal check for eighty dollars—the amount claimed on the Negro's bill.

The story shows the lengths to which the Southern personal conscience will go in befriending even a trifling Negro; and the fact that everybody settled down in peace as soon as the white man let the black one alone throws light on the state of our social consciousness.

It is true, my friend said, the white man was practically ostracized by his own race; but that fact was the aggregated result of the action of many individuals rather than the action of a community, with a sense of community responsibility to uphold law.

The story naturally brings up the question of peonage, which is a logical outcome of our attitude to the Negro since the destructive days of "reconstruction."

Country Negroes of the better type, hard-working, honest, and thrifty, are pretty sure, sooner or later, to own their own farms and be their own masters. Negro ownership of Southern farm lands increased one hundred and fifty per cent between 1900 and 1910—clear proof that the race is advancing rapidly, no matter how much that is undesirable may

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remain for future elimination—proof also that, notwithstanding mob barbarities and much unjust discrimination, Southern whites are better neighbors for black folk than some of our Northern brothers fear.

By this steady promotion of the best Negro tenants and laborers into the class of land-owners, those left available for labor on white farms tend constantly to a lower level of character and efficiency. It would be hard to exaggerate the shiftlessness and unreliability of many of this class. A man who has employed them by the year may find himself deserted at the most critical period, and his year's work little more than a disaster. It is for protection against this danger that a number of men have resorted to the expedient of keeping the laborers forever in their debt, and, by agreement with other farmers, preventing their getting employment elsewhere until that impossible time when their debt shall have been canceled.

The two great assets of any country are the land and the people; and the people necessarily include those engaged in the basal industry of agriculture. The land produces increasingly as the people who till it gain in health, in morals, in intelligence, in the freedom and joy of life. It grows barren as they are debased. No man, however intelligent himself, can make a free man's crop with peon labor. For many years the South squandered the fertility of her fields. We are learning of late years, slowly and painfully, to build up the impoverished soil and restore it to its former richness. But we have overlooked the other half of the problem—the squandering of fertility of labor. Until we build up the worker, the material on which his work is spent will never yield its normal return.

Added to this is our habitual neglect of the farm-hand's recreational life—the danger place of all people of all places and all ages whose inward resources are limited and whose power of self-control is not highly developed.

Even a locomotive, a thing all steel and brass, has to have its periods of cared-for rest—its recreational life—if it is to live out in usefulness the normal lifetime of such an engine; and no man, of any race, will or can do first-class work if he is regarded as a machine while at work and as a nonentity when his work hours end. Drunkenness and immorality are the only resources of many of our farm-hands when not at work in the fields. Peonage is no cure for debasement like this.

The Negroes need to be built up, like the soil. In cities and factories we are finding that it pays, in dollars and cents, to care for "the [white] human end of the machine." It will pay in the country too, and when the human end is black. Christ's law of brotherhood is universal in its working or it is no law at all. A Negro of this class, given a decent house and let alone in it, would soon bring it to the level of his former habitation. But if with the house he were given a friend—who, according to Emerson's fine definition, is "one who makes us do what we can;" if he were helped to start a chicken-yard of his own on intelligent principles, or a garden-patch; if the educational methods so successful at some points in the rural South were universally applied, relating the children rationally and happily to the land; if the school-houses were secured as social centers for older Negroes, and the better classes of colored people were encouraged to co-operate in the movement; if the white men of the neighborhood—farmers, pastors, school-teachers, and doctors—met them there occasionally to lecture on matters of community interest, and also to give them some real outlook in life, some glimpse of the wide relations of their narrow toil; if the white people would look into the Negroes' religious life a little and do what so many white people did before the war—superintend their Sunday-schools and teach their Bible classes; if these simple and entirely possible things were done, the laborer would be built up along with the soil, and peonage would be seen for what it is—the device of selfish ignorance for meeting a situation caused by our own neglect of our poor, and to be controlled only by service in a spirit of brotherhood.

But the lower class of Negroes, whether in city or country, do not present the only, nor, I often think, the most serious aspect of our Negro problem, so called. We have many classes of whites in the South, the lowest of which are little, if any, above the lower Negroes in education or morality. This class is not a large one, but it is widely scattered; and it is the most unstable element in our civilization. It is the nitrogen of the South, ready at a touch to slip its peaceful combinations, and in the ensuing explosion to rend the social fabric in every direction. It is the storm-center of our race prejudices, and generates many a cyclone which cuts a broad swath through much that the South cherishes. I know of no solution for this white side of

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our "Negro problem" but the one to be applied to the black side also—the gradual upbuilding of character by training and personal service, and, above all, by the example of just living in every relation of life.

But control of a situation need not wait on the solution of its problems. The existence of this dangerous white class is no excuse for the deeds its members are permitted to do—it but constitutes our duty and our reproach. There are a hundred law-abiding Southerners —oh, far, far more—to every one of these lawless firebrands; yet, individualistic as we are, unorganized by a social consciousness, half a dozen of them can sway the weak, the excitable, the unformed among us, can fire the mob spirit, and lay the honor of thousands in the dust.

We have lately had, in one Southern State, an extreme instance of this kind. A peculiarly atrocious murder had been committed by five Negroes, two of whom were lynched, the remaining three being hung by process of law. Some lawless white men, evidently too poor themselves to need the Negro's labor, then undertook to drive all Negroes from the county. Notice was served on the white people, in city and country, that dire and summary punishment would be meted out to all whites who employed Negroes in any capacity after a certain date. The Negroes were warned that working for white people meant death, and were ordered to leave the county at once. A friend of mine who lives in the county town, which numbers several thousand inhabitants, told me that the Negroes were pitiful to see. They went out in droves, young and old, often in rickety little wagons piled high with household goods; went out, not knowing whither, and leaving gardens behind them, and often homes of their own.

And the white people—the law-abiding majority of the population? They were thoroughly indignant from a personal, but not from a community, standpoint. They condemned the outrage publicly, as individuals; and as individuals they each protected those Negroes personally known to them. Men carried pistols to protect their Negro chauffeurs, none of whom were molested as soon as that fact became known. Servants came to the white people's premises to sleep and brought their relatives with them. It was the Negroes who had no "white folks" who suffered. Finally the matter dropped out of the newspapers. A year later two of the Negroes ventured back to their homes, which were promptly dynamited, though fortunately without loss of life. The two houses, the papers stated, were owned by white men, and the Governor offered five hundred dollars reward for the perpetrators of this latest crime. They have not yet, however, been apprehended.

The papers of the State, like the whites of the outraged community, were outspoken in condemnation of these barbarous proceedings, yet there was no community conscience to weld the law-abiding majority of town or State into one strong will, fired with a determination to stop a hideous injustice, or to give the weak the protection of law which was their due, instead of the haphazard personal safeguards afforded by the circumstance of acquaintance with some white person.

It is scarcely a step from deeds like this to the murder by mob law of human beings. To a thinking mind there is nothing so sinister in our Southern life as the swift debauching of many of our people through yielding to the mob spirit. Time was when a Negro was lynched for one crime only, and the fearful provocation is still adduced at least as the reason, if not as the excuse, for this savagery among us. But this lawless element has long since fallen below the point where such offense is necessary to set them baying for some Negro's life like bloodhounds on a trail.

But we of the law-abiding majority cannot lay on their shoulders our part of a community sin. If they do the deed, we, who could prevent it, permit them. There are, however, signs of a wide awakening. The individual consciences of the South are yearly more deeply stirred by these outrages. The outspoken condemnation of a few men and newspapers years ago is the common attitude to-day. And more than that, far more, is the stirring, by more signs than one, of a true community conscience at this most vital point.

A law has been proposed by some Southern man, whose name I am unable to trace, which would go far toward checking mob violence. It would automatically remove from office any sheriff who failed to protect a prisoner in his charge, and would render him ineligible for re-election; and it would make the county liable for damages to the family of the murdered man. It would, in the writer's opinion, be wise to add to these provisions a requirement that the county tax for education be largely increased for a term of years following such a crime.

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It was with the deepest thankfulness that I sat in a body of Southern women, gathered in Birmingham in April, 1913, when resolutions against lynching were brought in and unanimously passed. The overwhelming majority of Southern women have always repudiated the need of mob murder for their protection; but it marks a great advance toward social consciousness when an organization representing over two hundred thousand Southern white women delivers a public protest against it. The occasion was the annual meeting of the Woman's Missionary Council of the Methodist Episcopal Church, South.

Here is one vigorous development of social conscience in the South as regards the Negro. The Sociological Congress showed others. It is as contagious, thank Heaven, as tuberculosis itself, once the patient's condition is ripe for it; and when we break out with it, as we presently shall, we shall have a notable case. We never have done things by halves.

But the evil effects of the past are still with us. It is true that the crime of lynching is decreasing among us. It is also true that the number of Negroes lynched in the years made darkest by this wickedness was almost negligible as compared with the total Negro population. Negligible, I mean, not from a human but from an arithmetical standpoint; and somehow, by that curious mental process of self-exculpation common to all men in the presence of embarrassing or shameful facts, many of us who yet abhor mob violence have unconsciously sought refuge from the horror in the arithmetical point of view. "It is horrible," we say, "wicked, shameful, inhuman; but at least, thank Heaven, the crime is infrequent; the millions of Negroes never in danger prove that. As a race they are safe, and they know it."

But they do not know it; nor would we in their place. We have failed to use our imagination at this point. Every one of our millions of black citizens knows that every time this fire of death has flamed up from those depths where savagery still lurks in human hearts it has burst forth in a fresh place, without warning, dealing individual death, and sometimes suffering for many not even accused of crime. Lynchings do not come in the same place twice; if they did, they could be avoided. The volcano bursts forth from what has been, in the memory of man, but a peaceful mountain. It is true the eruption seldom takes place; the awful thing to the Negro is that it *may* take place at any time, anywhere, even upon trivial or, conceivably, upon unconscious provocation. That is lynching from the Negro's point of view, which would probably be our own in his place. The possibility of illegal violence, the fear of it, is an ever-present thing in their lives. It hangs, a thick fog of distrust, between their race and ours. Through it they grope, misunderstanding and misinterpreting many of our most innocent deeds and ways. Individual whites they trust, but I think few of them really trust us as a people.

This sense of evil possibly impending, with the deep distrust engendered by it, colors all the Negro's relations with us. It makes him shifty, time-serving. All of personal good that he plans or desires too often appears to him to be subject to the one imperious necessity of getting along with white folks—not of deserving or obtaining the respect of the better classes among us, but of avoiding the anger of individuals of our smallest and most dangerous class. To live in an atmosphere like that without moral deterioration requires a strength of character rare in men of every race.

Nor does the administration of criminal law in our courts always tend to lessen this distrust of white people. At each session of the Southern Sociological Congresses Southern men high in office among us—judges, professors in our great universities, Young Men's Christian Association leaders, and others—stated that, despite individual exceptions, the trend of our courts is to mete out heavier punishment to black offenders than to white. It is not, they say, that Negroes are illegally sentenced, but that for similar offenses the Negro gets one of the heavier sentences permissible under the law, the white man one of the lighter. More than one Southern Governor has defended his wholesale use of the pardoning power on the express ground "that the proportion of convictions is greater, and the terms of sentence longer, for Negroes than for whites."

It is not only the Negro's well-being that is at stake in this matter; it is the civilization of the South. Through all the ages the country which denies the poorest equal justice is the one foredoomed to fall. It is doubtless true that our Southern courts are no more unjust to the very poor than are the courts of many other sections of our country, especially in our great cities. The poor immigrant without a "next friend" is liable to fare as badly as the Negro without any

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"white folks;" but that does not lessen our danger or our responsibility. It ought to draw North and South closer together in the bonds of a common patriotism and a common public duty. It is because our poor are made conspicuous, and advertised, as it were, by their difference in color, that we seem to all the world greater sinners at this point than themselves. But, while I would offer this suggestion that others outside may feel more human sympathy for us while yet condemning our human sin, I would not have us at all excuse ourselves on the score that our sin is common to mankind.

Last of all in this connection, yet in its practical prevention of good feeling between the races not least, are the annoyances, discomforts, and hardships laid upon the better class of Negroes by our failure to see under their black skins a humanity as dear to justice and to God as our own. There are many points for illustration; but one will suffice here—the matter of "Jim Crow" cars.

We who believe that the races should be kept socially distinct cannot advocate their mingling in the enforced intimacy of Pullman cars. It is enough for us to put up with ourselves under such conditions—and sometimes almost too much. But that does not at all excuse the traveling conditions which are forced upon Negroes of education and refinement (I use the word advisedly) throughout the South. They pay for a straight railway ticket exactly what we pay, and we force them habitually to accept in return accommodations which we would despise one of our own people for putting up with. And we say the Negroes are dirty! Miraculously, some of them are not, notwithstanding all the provisions we make for confirming them in that condition.

Last Christmas a colored kindergartner employed by some Southern white women in settlement work among her own people went home for the holidays. There are several day trains, but some important home happening made her presence there necessary the morning after her work closed at the settlement; so she took the night train, a thing she had never done before. The young woman is a college graduate, refined in speech and manner, modest and sensible in her relations with people of both races, and a strong and wholesome force in the lives of the poorer Negroes among whom she works. She took the Jim Crow car, of course, expecting to sit up all night, but with no idea of the experiences before her. The car was full of half-drunken Negro men off to enjoy one of the very few pleasures open to Negroes in the South—a regular old Christmas spree. There were one or two other women in the car, and they huddled together and endured the night in frightened silence. The trainmen, passing through, took no notice of the insults or oaths or vile talk.

When she told the white women who had employed her about it, ten days later, she trembled as she spoke.

"I had never seen Negroes like that in my life," she said. "I knew there were such men, but my mother had spent her life keeping me away from them. Why can't the white people see it?" she burst out, passionately; "will they think forever that we're all like that? Why can't they let us be decent when we want to be?"

I know a Negro woman, the wife of a doctor whom white doctors of the city tell me they respect both as a man and as a physician. He has a large charity practice, but a large paying one also. He is a man of considerable means, and owns an automobile. His home is thoroughly comfortable, and his wife is as amply provided for as the wife of a white man in similar circumstances would be. She is a refined, sensible, good woman whose influence among her own people is of the best.

She told me not long ago that she went on a visit which necessitated a day in the usual Jim Crow car. I had asked her about the matter, or she would not have mentioned it. We do not suspect the reserves of pride in Negroes of this class; and I count it a chief proof that my life among them is not a failure that they will speak to me frankly, as to a friend.

There had been no insult or terror in her case; simply filth, tobacco juice and smoke, coarse talk among other Negroes, and blinding, choking dust. When she reached her destination, she said, no one could have told the color or texture of her dress or hat.

Somehow the hat gripped my sympathies. Women do so cherish their hats!

Why should a colored woman who loves cleanliness as much as I do, and who is quite as willing to pay for it, be forced to travel in that disgusting filth? I know that if I were forced to do it my husband and my children and all my friends would feel outraged about it, and would never have any use for the

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people who made me do it. Why should these people feel differently?

A Southern State, a few years ago, required the railways to provide equal accommodations for whites and Negroes in that State. They replied by a threat to take off all Pullmans for white people, as they could be operated only at a loss for Negroes; and the matter was dropped.

But day-coach accommodations are rarely equal. Even where the cars were originally alike, the habitual neglect of those in use for Negroes soon reduces them to a condition revolting to people of cleanly habits. The fact that many Negroes are unclean in their habits is no excuse for the condition of the cars. When white people are unclean, as they often are, the railway is not excused from keeping the cars in a fairly decent condition, at worst. They may have to spend a little more for soap and water; but they must take their chances on that when they sell tickets.

The Jim Crow cars come under no one general description. I have occasionally seen a car for Negroes as clean as any day coach for whites. Similarly, I have known personally of Negroes riding through Southern States all day and all night in a Pullman section, their presence known to all the white passengers, none of whom voiced any objection to them. But neither occurrence is the rule.

Sometimes there is a day coach for Negroes, and also a separate place for Negro men to smoke—usually a cut-off end of the smoking-car for whites. This is the best accommodation on the best roads. Sometimes this half of a smoking-car, with its single toilet, is the only part of the train open to Negroes at all. Sometimes there is no place for Negroes except in the car with white smokers, though this, again, is unusual. The average conditions, undoubtedly, are far below those provided for white passengers who pay the same price; and the spirit manifested by this treatment of Negroes is one that people of any race or any class have the right to resent.

If whole Pullman cars cannot be profitably provided, one end of a first-class day coach could be fitted up as a Pullman and put in charge of the men on the white people's Pullman; and the other part of the car could give the Negroes what they now lack—day-coach accommodations equal to those for whites.

I believe the railway people themselves have little idea of the number of Negroes who could and would pay for first-class accommodations. We know little about the educated, prosperous members of the race. As fast as they enter this class they withdraw into a world of their own—a world which lies all about us white folks, yet of whose existence we are scarcely aware. It is largely the inefficients, the failures, or the immature and untrained, who remain with us.

But if the railways claim that they really cannot afford to provide decent day coaches and comfortable sleeping accommodations for Negroes, a commission should be appointed to look into the matter; and, if their contention proved just, fares for everybody should be raised by law to a point which would allow the roads to maintain standards of comfort and decency for all their passengers.

It should be pointed out that not one of the Negroes whose cases I have cited, nor any Negro I ever spoke to on the subject, had any desire to share cars with white people. They have their pride, too; and they are not going where they are not wanted. They want safety, cleanliness, and comfort, not white company. And they are willing and ready to pay for them.

There is another grave injustice wholly different from any I have touched upon, which I believe has had a profound effect for evil upon a large class of Negroes; yet scarcely any one, white or black, thinks of it as injustice at all. We Southern white women are greater offenders in the matter than the men, and I myself must plead guilty to the common charge. Yet I scarcely see how a woman very far from strong could sometimes do differently; and if one be excused on the score of illness it looks ugly to call her neighbor lazy for the same offense.

We demand too little in the way of honest work of the Negroes in our employ. Shirking, untidy habits, petty and often serious pilferings—we wink at all of them, and continue to pay honest money for dishonest work. We do not like to discharge Negroes. It grates on our pride to be talked about by a Negro, and talk about us they certainly will, frequently with scant respect for truth. And as to discharging them—where shall we get a better one? we ask; they are all alike. And you can't possibly do the work yourself; yet if you make them mad they may keep you out of a cook for weeks. And, besides, "darkies are darkies." White people always

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have put up with them, and always will. So we mourn in secret over the departed flour, and sigh for the lard that used to be in the bucket, and tell Jane or Lucinda how nice her cake was last night, and give her the cold biscuit to take home to her grandmother and a few cookies for the children. And when Eliza Ann brings in the wash with three of the best towels gone, and half of the handkerchiefs, and tells us blandly that she "know she done brung back ev'y las' thing she took out, 'cause she hung 'em on her own line an' dey ain't been nobody near 'em but her an' de chillun," we falter meekly that it doesn't matter, and that the tablecloths look nice; and we give her a pair of stockings with just one tiny hole in them, and the dress she has scorched in two in the back breadth to make over for little Susan; and we pay her the full week's wages.

In our hearts we feel that we are "quality," and so cannot afford to hold Negroes to a strict account. For fifty years we have trained those of them with whom we have come in contact to rate both our friendship and our gentility in exact proportion to what we put up with from them, and what we give them without expectation of return. They think none the less of Northern people who require a return in well-done work for money received; but Southerners are "our white folks," and such exactions from them arouse instant distrust in the average Negro's breast, the least of his suspicions being that his employer has no connection with the "quality."

I once praised a cook of mine for her exquisite cleanliness and the economy with which she evolved the most delicious dishes. She really was a jewel of a cook. She laughed amusedly when I spoke.

"I worked up North twelve years, an' I learned things," she said. "If I was dirty or wasted, I lost my place. And I'd have lost it in a minute if I'd taken things. Yankee women don't put up with nothin'; they fire you an' do the work themselves."

She turned on me suddenly.

"It's you white people's fault we colored people are so triflin'!" she burst out. "You-all scold us, but you put up with us. We don't need to do any better, because we get along just as well as if we did honest work. You-all say, 'Oh, what can you expect of darkies?' But we can be honest, and up there they make us. I warn't no manner of account till I went North. An' if the Yankees had some of these other servants 'round yere they'd learn 'em somethin'. We can do better if we must!"

Now in all these matters, great and small, and in dozens more which may not here be touched upon, what basis for living does white example furnish? Outside of personal and often unreasoning kindness, where we are prone to take the attitude of feudal lords who give largess, what is there in our treatment of the Negro to inspire him with respect for justice and the law? If we will lay aside our preconceived notions for a little, and go over all the complex web of racial relations in the South as they might appear to a gentleman from Mars, for instance, newly landed on the earth, what is there, outcome of the fifty years, commensurate with the obligation of a strong people to a weak one? What have we done to bind them to us? What to lift them up? What foundation have we as a people laid for dwelling with them in honor and mutual good will?

I do not mean to imply that no basis of justice exists; if it did not, our civilization would be falling of its own weight. It does exist between many individuals' lives, both white and black. But as a people for a people the foundation is yet to be sought, and other foundation than justice there is none.

There is no sense in mincing matters. We are no longer children. It is the first step that costs, always; but the first step is very plain. It is to put away childish things—unreasoning prejudice and unreasoning pride—and to look truth squarely in the face, as men and women who love it at all costs. There is no truth in a detached view of the Negro, or of any human being. Everybody on earth is human first and racial afterwards. We must see in the Negro, first of all, deeper than all, higher than all, a man, made in the image of God as truly as we ourselves. If in the race that image be less developed than in our own, in some individuals of the race it is certainly more highly developed than in some individuals of ours. And whatever grows is growable.

My only fear for white supremacy is that we should prove unworthy of it. If we fail there, we shall pass. Supremacy is for service. It is suicide to thrust other races back from the good which we hold in trust for humanity. For him who would be greatest the price is still that he shall be servant of all.

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LEAVES FROM A LAWYER'S REMINISCENCES

BY THERON G. STRONG

OF THE NEW YORK BAR

II—THE MODERN LAW OFFICE

NOTABLE and important changes have taken place during the past thirty years in the situation, office force, and ordinary appliances of lawyers' offices. The location and general characteristics of the modern office present a striking contrast to those of former years, brought about by improved methods of building and the introduction of the elevator. Musty offices in old-fashioned buildings, with few conveniences, for the most part poorly lighted, with little attention to cleanliness or internal arrangement, have disappeared. The greater number of lawyers' offices up to 1880 were located on the third floor of buildings, involving two flights of stairs, and it was not rare to find one on the fourth floor. The modern lawyer seeks light and sunny offices in the highest stories of the so-called sky-scrapers, where the atmosphere is pure and the light abundant, contributing generously to comfort and good cheer as well as to longevity.

Until about 1880 there was a quaint arrangement of buildings at 41 and 43 Wall Street known as Jauncey Court. In these buildings were to be found some of the typical old-time offices. The published prints of Wall Street as it was before the advent of the modern sky-scraper show Jauncey Court in all its quaintness.

The only remaining instance, so far as I know, of the typical law office of earlier days, although modernized somewhat in its office equipment, and rendered attractive by cleanliness and an air of refinement, is the office of that highly reputable firm which began in the days of Peter DeWitt, the continuity of which has remained unbroken down to the existing firm of DeWitt, Lockman & DeWitt, whose offices during a period of nearly eighty years have been at No. 88 Nassau Street.

One of the great disadvantages of the offices of earlier times was absence of cleanliness. Unless there was a janitor who would attend to this important matter little attention was paid to it. The consequence was that, except for semi-occasional house-cleanings, there was an entire neglect of that daily attention to the offices which is now deemed so essential. With the advent of the modern buildings, each with its superintendent and corps of employees to care for it, the careless and ofttimes filthy condition of the earlier law offices has entirely disappeared, and it is now a matter of course that after the work of the day by the office force is suspended the corps of cleaning-women and the window-cleaners take possession and put the offices in a reasonably cleanly condition.

The large modern law office resembles, in fact, important commercial or banking offices, and in some cases occupies as much as ten thousand square feet, so subdivided and arranged that there is none of the freedom of the office of former days, while access to the partners and the more important employees is rendered difficult unless the object of one's visit is fully explained to some lynx-eyed guardian. It is by no means a place for informal and friendly visits, being enveloped in an atmosphere of business activity, creating an impression unmistakably, although often unintentionally, that anything but business requires an apology for the time consumed, and that it is an intrusion.

The rental of the modern law office would arouse in the old-time lawyer open-eyed wonder. In earlier days $2,500 for a suite of offices was considered a large rent, while at the present date five times that amount is not unusual, and in some cases it is nearly, if not quite, $20,000.

The systematic methods and recently devised appliances of modern offices are of such a character that the practitioner before 1870—or even before 1880—would find himself in entirely new and unaccustomed surroundings, unable to keep pace with the modern practitioner, surrounded by his numerous conveniences which facilitate to a remarkable degree the despatch of business. The slow and laborious methods of former days consumed a vast amount of time and imposed mechanical labor which modern methods have entirely eliminated. Documents of all kinds were in those days invariably written out by the practitioner in longhand, involving not only the time necessary

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to compose and write them, but, where duplicates were necessary, the labor of copyists.

The ordinary work of this character, such as copying pleadings, affidavits, and records on appeal, was performed by the law students or minor clerks. It was quill-driving pure and simple, and when a voluminous case on appeal had to be copied there was often a competition as to who should produce the largest number of sheets of legal-cap paper, legibly written, in a single day. Those of us who engaged in this duty will remember the appalling tasks of this kind with which we were presented, and the reams of copies turned out, ofttimes with aching fingers and under great depression of spirits.

There was, however, a class of professional copyists who performed the more important and skilled work of copying legal documents. These constituted a regular and well-defined class of office servants, legible handwriting and the ability to decipher illegible handwriting being the only qualifications required. Many of them were strange characters, often venerable in appearance and interesting to behold, but with no ability beyond that required to produce a legible copy of a document. Most of the professional copyists were also skilled engrossers, and whenever a will or agreement was to be copied, a very beautiful specimen of their work would be produced, with writing like copperplate, the initial word of each paragraph handsomely executed in Old English or German text. A considerable number, and, in fact, I think, a large majority, were English or Irish, who had acquired their skill and experience in the old country, and their work was so automatic that the substance and purport of the document would make no mental impression.

With the advent of modern appliances this class of employees has almost entirely disappeared, although one may occasionally be found. In England, however, where engrossed documents are much more common at the present date, the copyist still retains his place.

The pen has always been an important accessory of the lawyer, and the goose-quill is the lawyer's emblem. The goose-quill pen, the penknife, and the sand-box were once inseparable associates on the lawyer's table. As late as my own early days at the bar quill pens had not disappeared from the New York courts, but were supplied by the city authorities at the lawyers' tables in the court-room. Even now the practitioner in the Supreme Court of the United States will find on the tables in the court-room provided for the use of counsel the old-time quill pen, a forcible reminder of the days of Marshall and Story. The abandonment of the quill pen and the universal adoption of the steel pen marks a very important improvement in the facilities of the modern law office. The present generation scarcely stops to think, probably, that it is within the memory of men now living that the goose-quill was replaced by the steel pen and the sand-box by blotting-paper. It was not until 1860 that the manufacture of steel pens in America began on any large scale. Ten years later the variety of steel pens was very small. But the evolution of the pen, keeping pace with other improvements, has shown a development of great importance. What was regarded as a somewhat expensive luxury in the earlier days has become almost a miracle of cheapness, and pens of endless variety, suited to almost every possible requirement, are now to be had. Besides the ordinary pen, modern requirements have evolved the fountain pen and the stylographic pen, which frequently find employment in the lawyer's affairs.

With the passing of the quill pen and the sand-box there also passed from use the red tape so familiar to old-time lawyers, from which originated the familiar expression, "There is too much red tape about it." It continued to be used for some years after my admission to the bar in 1870, but it gradually gave way to its more convenient substitute, the rubber band, which was soon universally adopted. I am quite confident that the rubber band was not a part of the lawyer's outfit in 1870, and I think it may safely be said that this addition to it is a product of the last forty years. Like all other good things, the rubber band, at first crude and imperfect, was, by an evolutionary process, perfected in its material, and in the great variety of its shapes and sizes, adapting it to every kind of use and making it one of the greatest conveniences of the modern lawyer.

The first notable change in the production of lawyers' documents was the process of manifolding, which came into use about 1870. At first the copies were produced in much the same method as that of copying letters in a letter-book, by using copying ink in making the first draft, then applying moistened tissue paper, which received the impression of the original. In this simple and convenient way several copies could be made, and where documents were voluminous it was univer-

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sally adopted. But, like many other convenient and labor-saving devices, the careless practitioner often produced copies so blurred as to be scarcely legible, and this led to the adoption of rules by the court which prohibited the submission to the court or to public officers of such copies for the purpose of filing or certifying.

Another process of manifolding was that of lithography, by which was produced any number of copies in a very attractive and perfect form, but the expense of it was large, especially where only a few copies were required, and, being slower than other means of manifolding, it did not come into common and every-day use.

Other methods of manifolding were introduced, which, however, were speedily abandoned, owing to the introduction of one of the most useful and valuable inventions of modern times—the typewriting machine. The enormous number purchased, and the vast industry connected with their production and operation, and their presence in every office of any consequence in the country, form the strongest testimony to their practicability, and no office is complete without one. In the early days their work was indeed crude and unsatisfactory, and the freaks of the machines as well as of their operators were often annoying, but their convenience and practical value were such that they marked an important step in the production of accurate and legible documents, while in the improvement of the machines and of their operators, the quality of the work, the number of copies produced at a single stroke by the operator, is found one of the greatest of the changes and conveniences which the modern law office presents. The skill with which these machines are operated is often remarkable, a few of the most expert operators being able to take dictation direct on the machine almost as rapidly as if taken by a fairly competent stenographer.

From this evolved another important adjunct of the modern law office in the now indispensable stenographer and typewriter. This individual occupies very much the same relation to a large law office that the skillful machine operator does in a factory. The work is to a large extent purely mechanical. Utilization of time and economy in service form two of the most important considerations. Consequently, comparatively recently, a machine which is a form of the phonograph has been introduced which is gradually finding its way into law offices, and has already found its way into large mercantile establishments. It is a kind of intermediate convenience between the employer and the employee. The use of the phonograph enables the employer to dictate into the machine that which is to be put into form upon the typewriter, and, by a transmission of the contents of the record supplied by the phonograph, the stenographer and typewriter is enabled to embody the matter dicated in typewritten form.

The stenographer, as such, in former days was a rare and unfamiliar person. When it is considered that official stenographers for the courts were not authorized by statute until 1865, it will be believed that their employment before that time in the ordinary work of the law office was unusual and exceptional. Until then the judges universally took the notes of the testimony in longhand, and no such thing as the stenographer's minutes of the testimony was known. I have in my library the volumes of court notes which were taken by my father when he was on the bench, and which constituted the record in the cases. In my own early days, when a student in the office of my father, who frequently served as referee to hear and determine cases, I acted as amanuensis and took down in longhand the testimony of the witnesses as it fell from their lips. In the course of time I became quite an expert, able to record the testimony with considerable rapidity. Among all the cases in which he sat as referee, I know of few in which the testimony was taken by a stenographer. These now antiquated methods have all been revolutionized. The stenographer and typewriter are necessary adjuncts of every well-regulated office, and stenography has become a great industry. Schools of stenography turn out each year an army who are employed not only in law offices but in every department of business activity in which correspondence to any extent is conducted. Stenography and typewriting being almost invariably combined in the same individual, it may safely be said that with the use of a competent stenographer and typewriter the busy lawyer is capable of producing in one day as much work as he could have formerly produced in three, that his work will be of equally high quality and his documents much more legible and accurate. But with the advent of stenography and typewriting a tendency to greater diffuseness in correspondence and in legal documents generally has manifested itself, and the concise

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and pithy style of former days is fast disappearing. Except in the writing of wills, in which impossibility of making changes by any process not easily discoverable must be secured, longhand documents are regarded as almost a curiosity.

In the case of male stenographers I would not say that the tendency is to rise from stenography to admission to practice as a lawyer, but it is nevertheless true that the ranks of lawyers have been recruited in many instances from the stenographers, and in some instances they have attained great distinction at the bar. I have in mind one now living who is a striking instance of humble beginning as a stenographer and subsequently of distinguished success as a lawyer. When I first knew him as a stenographer, employed by one of our most reputable firms, he was identified with a member of that firm who had charge of the litigation of the office. Naturally this young and ambitious stenographer was impressed with the higher calling of the lawyer, and not only qualified himself for admission to the bar, but, by successive steps gaining admission as a partner in the firm by which he had been employed, and rising from the position of junior to that of senior, he has for many years been borne on the full tide of professional success.

Many years ago one of the regular court stenographers, James B. Sheridan, secured a nomination to a judgeship in the Marine Court (now the City Court), and, it being a time of political upheaval, the court stenographer became the judge of the court and served acceptably during the six years of his term, and then resumed his place at the court stenographer's desk.

It is not, however, always to the advantage of the stenographer that he should forsake the pecuniary rewards of stenography for the more uncertain rewards of a lawyer, for accomplished stenographers who have official positions in the courts, or those closely identified with some busy referee, earn an income better than that of most lawyers in fair practice. The court stenographers have, in addition to their salaries, their stenographic fees at a uniform rate for writing out the record of the trial in every case in which an appeal is taken, and the referee's stenographer is paid at the rate of thirty-five cents a folio of one hundred words for three copies of the testimony, and frequently the fees of the stenographer amount to nearly as much as the fees of the referee. Under these circumstances successful stenographers may well be content with the pecuniary result. But it must be added that thereby the cost of litigation in the courts or before referees has been largely increased and has become exceedingly burdensome.

Stenography and typewriting have also introduced an important change in the personnel of the modern law office. It would, I think, be safe to say that before 1870 no office could be found in the city of New York in which a woman was employed as a part of the working force. The advent of typewriting and stenography, the attractive employment it affords, the comparatively short business hours, the liberal salaries paid—from $8 to $10 weekly to a beginner, to as high as $20 and sometimes, but rarely, $30 a week to the more experienced—have led large numbers of young women to qualify themselves for these positions. Like the typewriting machine, the woman stenographer is found in almost every office, and it must be said that where a good fundamental knowledge of English grammar and punctuation exists, the work produced by an intelligent woman is of the highest quality. When, however, this fundamental knowledge is lacking, woman, as in other instances, proves to be a delusion and a snare.

While it is undoubtedly true that an office takes its tone largely from the character of the employer, my experience is that the presence of a right-thinking and dignified young woman in an office tends to elevate its tone by the restraining influence of her presence upon the clerks and students, preventing the use of language which might otherwise escape, and actions which might be open to criticism. Undoubtedly there is a vast difference in the influence which these women employees exert, but in offices in which self-respect and character count for something, care being exercised in their selection, the result is an influence of very great value.

My experience with the telephone began in 1884, and since then methods of transacting law business have been completely revolutionized by its general use. Its introduction in law offices was slow and its service at first very imperfect, but as a labor-saving device which dispenses with longhand correspondence and calls in person, and admits of interviews at a moment's notice, each party sitting in his own office, at times in different cities, its value has been inestimable; and when communications with clients are taken into consideration, and the ease with which information from the courts is procured as to the state of the cal-

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endars, with no need of messengers to notify parties and secure the attendance of witnesses and watch court calendars, the importance and usefulness of the telephone cannot be overestimated. The number of messages for which some of the larger offices contract runs up to almost, if not quite, 100,000 per annum.

The amount of time consumed in the earlier days in attendance upon courts while waiting for cases to be called was very great. When a case appeared upon the calendar, the only thing to be done by counsel was to be present at the call of the calendar and patiently wait until his case was reached. This involved at times waiting for half a day or longer in almost momentary expectation of the case being called, not only requiring absence from the office, but preventing the utilization of time in other directions. Lawyers of the present day cannot appreciate the inconvenience and annoyance this caused. The introduction of modern appliances has transformed all this, and counsel can now, without risk, direct a subordinate to attend the call of the calendar and watch the court proceedings, and half an hour or so before his presence becomes necessary he can be called by telephone; meanwhile his time has been profitably employed in other directions. This marks one of the greatest changes which has taken place in modern times in the work of the court lawyers.

This important improvement is a boon not only to the lawyers, but it also applies to business men, who in earlier days were subjected to great losses, in addition to annoyance and inconvenience, by being compelled to spend time as parties or witnesses in awaiting the trial of cases. A party whose presence was necessary in the early stages of the case, or a witness in attendance under subpœna, was compelled to attend day after day and waste hour after hour. This was a great hardship, particularly in the case of a witness who had no interest whatever in the controversy.

But, with all its convenience, the telephone has, I think, worked to the detriment of the profession in one respect—their personal relations. Before the days of the telephone there was personal intercourse between the members of the profession which tended to promote good feeling and good fellowship. There were the calls upon each other on matters of business, and when the business was finished a pleasant chat upon outside affairs would oftentimes follow; there was the cordiality of greetings; the face-to-face intercourse; the more familiar acquaintance, which promoted a feeling of brotherhood. All this has practically disappeared. Personal calls are comparatively infrequent; a hurried conversation by telephone transacts the immediate business in hand, and the personal quality is entirely eliminated. The result is that in some instances an opponent is absolutely unknown except over the telephone. You know the sound of his voice, but if you were to meet him on the street you would be unable to recognize him; and while in the earlier days a comparatively intimate acquaintance might have been formed with an opponent, it may now happen that you will have no personal acquaintance with him until there is an actual meeting in court to try the case.

This absence of personal intercourse is also observable in the case of clients, with whom a meeting in one's office was not only agreeable, but had a tendency to cement the relationship of lawyer and client and bind more closely the ties of personal friendship. It now frequently happens that although a lawyer may be actively employed for a client personal intercourse may rarely occur, and there has come to be with clients as well as with one's professional opponents a destruction of the personal and intimate relation, leaving only that which is purely professional.

Most important contributions to the comfort of the modern lawyer are the electric appliances which have transformed dimly lighted offices, and systems of electric desk attachments, such as bells and telephones, which permit communication with the working force with ease and rapidity, and enable partners to communicate with each other without the necessity of leaving their respective rooms.

The improved office furniture, such as roll-top desks, the newly devised flat-top desks with their spacious drawers, the disappearance of the old-time pigeonholes, the advent of modern cases for filing papers, the improved systems for keeping papers and records, reducing to a minimum the inconveniences that arise from mislaying documents or filing them carelessly, have also greatly contributed to the comfort and ease with which business is transacted.

The printing-press has also had a remarkable influence on the work of the modern office and of the courts. There are few directions in which improvements in a known art and its practical application to every-day affairs have been greater than in the art of printing as applied to the law. Even in such a dignified tribunal as the Supreme Court of

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the United States, and during the halcyon days of Chief Justice Marshall and Mr. Justice Story, and of Pinkney, Webster, Wirt, and Ogden, when the great Constitutional questions were argued, the method adopted was to pass the written record around from Justice to Justice; there was not even a duplication of copies. The advent of the printed record put an end to this cumbersome method, one of the earliest instances of its appearance being in the case of Dandridge against the United States (12 Wheaton) in 1826, concerning which Daniel Webster wrote as a matter of news to Nicholas Biddle that in that case they were to have a printed record. While it is true that in February, 1821, a rule was adopted providing for the printing of the briefs of counsel, it was not until January, 1831, that the Court adopted the rule that "in all cases the clerk shall have fifteen copies of the records printed for the Court, provided the Government will admit the item in the expenses of the Court." Evidently the art of printing was very slow in making its way into the practical working of the courts.

As late as 1834 there was no rule requiring the use of printed records in the courts of New York State, but, upon the reorganization of the courts and the adoption of the Code in 1846, the Supreme Court rules provided that printed copies of the record should be furnished. Any one who takes the trouble to examine these printed records during the succeeding twenty years will notice frequently the crude and imperfect execution of the printed page and the wretched paper used, the work being, in most instances, that of the village printer in the "backwoods" counties of the State. The expense of printing was for many years considerable, about $1.25 a page for twenty-five copies, and when the record was voluminous, this expense was a serious burden upon the litigants; but with the advent of other improvements in the law the art of printing kept pace, and the sharp, clear type, the excellent paper, and the broad-margined page of later years furnish one of the luxuries of the law, lightening the burden of the lawyer and the judge, while the expense of furnishing thirty copies has fallen as low as fifty cents a page.

But it is not only in printing records for the use of the courts that the employment of the printing-press has become an important adjunct of the modern office; in the numerous instances in which considerable numbers of copies of voluminous documents are required it is constantly employed. Nothing can present a sharper contrast between the methods of the old-time lawyer and those of the modern lawyer than in the abolition of the slow and laborious work of longhand written documents by the adaptation of the art of printing to the lawyer's office and the courts.

There must also be included as among the greatest office facilities in disposing of cases that require careful investigation the various compilations in the form of digests, encyclopædias, tables of cases, indices of citations, books of practice, and forms of pleading and other legal documents.

One of the most important aids in this direction, which for many years was indispensable to every lawyer, was Abbott's Digest, which is continued to the present day. This was the first complete and satisfactory digest issued since the time of Bacon's Abridgment and Cruises's and Clinton's Digests. In the preface of Abbott's Digest allusion is made to the number of existing reports in New York State, which at the time it was first issued, 1860, had reached the number of two hundred. Up to that time many lawyers made their own digest, using an ordinary blank book, in which they noted decisions of importance contained in the reports. Undoubtedly Abbott's Digest supplied a long-felt want; but how much more are such works needed at the present day, when the volumes of State reports in New York have reached the number of sixteen hundred, and the reports of the Supreme Court of the United States and of the various Circuit and District Courts contained in the "Federal Reporter" number over four hundred. When investigation is made of reported decisions of other States, it would be an impossible task to examine them carefully without the most complete assistance of this description. But even Abbott's Digest has lost much of its earlier importance by reason of the issuance of the two encyclopædias known as "The American and English Encyclopedia of Law" and "The Cyclopedia of Law," which treat each subject separately, and generally with considerable exhaustiveness, and collate the decisions of the various States applicable thereto. The reports also contain an index to every case cited in the opinions, and further assistance is given in this direction by volumes containing tables of cases affirmed, reversed, modified, or distinguished, enabling the practitioner to ascertain on the instant the value of any particular case contained in the reports.

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A further indispensable aid is a series of volumes issued quarterly containing a reference to every reported case, informing the practitioner at a glance where any particular case has been cited as an authority in any other case.

These are genuine tools of the trade, without which the modern law office would be incomplete and the modern lawyer helpless. As such I suppose they could be regarded in the same light that a Right Reverend Bishop returning from Europe regarded certain expensive vestments which he had purchased for use in church worship when he claimed for them exemption from the payment of duties for the reason that they were "tools of his trade."

The elevator is of course an important modern accessory to the lawyer's office, and a very convenient one as well, but, while it dispenses with the necessity of climbing at least two and sometimes three flights of stairs, as was formerly necessary, it has abolished that enforced physical exercise which lawyers were obliged to take, and which was, I am sure, conducive to health. It has also involved risks and dangers which were formerly unknown, and has introduced a class of individuals within the last thirty years—the elevator boys—on whom depends the safety as well as much of the comfort of a lawyer and his clients. When my offices were in the same building with those of the late Francis N. Bangs, I used to take elevator trips to and fro frequently in his company. Like all warm-hearted and unassuming men of eminence, he was simple and unostentatious and inclined to unbend with his inferiors. There were two elevators in the building, in charge of two excellent young men, who pursued their monotonous employment, one of them during almost my entire tenancy of sixteen years, and the other during the whole of it. Mr. Bangs dubbed one of them the "Duke of Hoist-'Em-Up" and the other the "Count of Let-'Em-Down." Sometimes a hurried lawyer during his trips on the elevator will take a hasty glance at a law document. On one of these occasions a bystander remarked, "You are evidently practicing law in the elevator. How do you find it?" "Oh," was the prompt reply, "it has its ups and downs."

One of the most valuable and useful facilities in the routine of practice in the modern law office is that afforded within the past twenty-five years by corporations organized for the purpose of becoming sureties on undertakings on appeal, attachment, injunction, replevin, and arrest, as well as on bonds for receivers, trustees, executors, administrators, guardians, and others in the course of legal proceedings. It was about 1884 that this line of business began to be pursued by corporations, on the basis of a fixed annual premium on each undertaking or bond. Until that time it was essential, whenever security of this description was required, to provide in most cases two sureties, owners of real estate, able to qualify as owners of property double in value the amount of the bond required. This was in most cases a very serious and difficult matter, involving on the part of the client an application to friends or business associates to act as sureties. Those willing to act as such, if free to do so, were often precluded by express provisions in partnership articles from entering into obligations of this kind, while others were naturally reluctant to jeopardize their property as a mere act of friendship or business accommodation, especially in view of the fact that the sureties were required to submit themselves in many cases to a rigid examination as to their property holdings by the attorney for the adverse party, in order to satisfy the court as to their sufficiency. The search for sureties was often a long one, attended with much embarrassment and perplexity to the client and his lawyer, and it frequently resulted in the greatest hardship. It was a wonderful advance, therefore, in legal procedure and in furtherance of justice, when surety corporations were organized; but even after their organization it was by no means an easy process to induce the profession and the courts to recognize and adopt this new method of providing bonds with sureties. It was necessary to procure legislation not only permitting this form of security but dispensing with the examination of the surety company as to its property qualifications by the attorney for the adverse party. Without proceeding through the various steps involved in consummating this object, it is sufficient to say that all obstacles were in time surmounted by appropriate legislation providing for a single examination of the surety company as to assets by the State authorities as a condition of being permitted to transact this business, and a system of annual reports to the proper State department, followed by action by the courts approving the sufficiency of each company to act as surety. There was thus introduced a simple and effective

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way of furnishing security without inconvenience, embarrassment, or delay. The large volume of business transacted by these corporations, sanctioned by legislation and the courts in every State of the Union, and the almost absolute disappearance of individual sureties, is a complete demonstration of the practical utility of one of the most important innovations of modern time in the domain of legal procedure.

The forty years since 1870 have been an era of wonderful development in practical and every-day appliances of the modern law office. The modern office building, the elevator, the electric light, the telephone, the typewriting machine, the typewritten documents, the systems of filing papers, the stenographers and typewriters, the art of printing, the surety companies, have revolutionized law practice. The introduction of these improvements, most of them within the last twenty years, has resulted in dispensing with a large office force of clerks and copyists, and economizing labor and time to such an extent that a day's work of a large modern office would have required several days, in former years, in an office of the same relative rank and importance. This not only demonstrates the progressiveness of the modern lawyer, but furnishes a remarkable illustration of the rapid changes in the practice of a profession which is supposed to be exceedingly conservative and to cling with tenacity to the methods of the past.

The third article in this series, entitled "Sources of Business," will appear in an early issue. It describes the methods by which the young lawyer may build up his practice

WHAT HAPPENED ON A COLD NIGHT

BY ONE WHO TOASTED HIS TOES

ON the coldest night of the recent cold spell in New York, when the mercury in the Whitehall Building thermometer dropped to four degrees below zero, trembled at its own audacity, and stayed there, a young man was seated in the writing-room of one of the clubs on Gramercy Park. His name was not Smith, which is what he shall be called in this brief sketch.

Smith looked up from his letter at a disturbance in the outer hall. The door opened and slammed, letting in a gust of icy wind. A man's voice was raised. Smith caught only one sentence: "For God's sake, let me stay here a minute and get warm!" There was a shuffle as two blue-uniformed attendants grabbed the intruder, who offered but little resistance, and hustled him out into the street.

Smith hurried into the coat-room, grabbed hat and ulster, and followed the intruder. He was seized by the desire not so much to practice a bit of benevolence as to see what happened to a homeless vagrant of the streets on a night when the thermometer registered four degrees below.

He saw his man standing irresolutely across the street. After a moment's hesitation, the man turned eastward and fought his way against the wind toward Third Avenue. Smith followed a hundred yards in the rear.

Half-way down the block to Third Avenue the man stepped into a doorway. Smith stepped into a doorway also. He found some shelter there from the wind, but it was so cold that he thanked his stars he had on an extra heavy ulster. The man he was following wore no overcoat.

Soon Smith saw him emerge from the ineffectual shelter of the doorway and proceed on his way. There is a saloon near the corner, and in front of it the man halted, looking in through the frost-filmed window. Then, with an assumption of bravado which sat pathetically on his humped shoulders, he pushed open the door.

Smith waited. He knew he would not have long to wait. In less than three minutes by the clock in a white-tiled quick-lunch restaurant, the saloon door opened again and the man shambled hastily out, glancing back over his shoulder. He started off southward along Third Avenue. A pile of newspapers in an areaway attracted his attention. He gathered up some of the newspapers and began hastily stuffing them under his coat.

At this point Smith forgot his desire for sociological observation. Or perhaps the

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man within him overcame the amateur economist. He had some difficulty at first in explaining that he wasn't a special police officer; but it wasn't long before he found himself seated in the little white-tiled quick-lunch restaurant, and, while a waiter departed for a bowl of vegetable soup, he watched intently the man opposite him.

The man was between fifty-five and sixty-five years old. He had a scraggly gray mustache and thin gray hair. His cheeks were sunken, and his skin, crisp and wrinkled like a macaroon, had an unnatural purplish tinge from long exposure to the biting cold.

Under the stimulus of vegetable soup (thin, but mercifully hot!) the man answered all of Smith's questions gratefully, as if he were not answering questions at all, but rather availing himself of a long-frustrated desire to talk with some one.

Up to a few weeks ago he had been a teamster making $15 a week. He was unmarried and had no relatives, and no close friends, in New York. He lived alone in a little hotel on the Bowery. When he lost his job (he was only one of thousands, he said, who had lost their jobs this winter), he had less than $30 in a Bowery savings bank.

But this would surely tide him over until he found other employment. He tried everywhere, but without success. Times were mighty hard—"you've got no idea how hard times are." He stayed on at the cheap Bowery hotel, economizing carefully on his meals and other things, until the $30 dwindled to nothing. They wouldn't let him stay there longer. He had to seek the streets.

"It ain't so bad being out of a job," said he to Smith, "in any time except the dead of winter. I've been out of a job before—not often, though—for as long as a couple of weeks at a time. In the summer it ain't so bad, because you can always find some place to sleep, and you can go longer without eating. And there are lots of little things a man can do in the summer to pick up a nickel or dime here and there.

"But in the winter! I guess there are hundreds of men in New York this very minute in the same fix I'm in. No work, no money, nothing to eat, no place to go. The Bowery Mission and Salvation Army and places like that take care of some of them, but mighty few. You just tramp the streets, tramp the streets. You want to lie down in some dark place and go to sleep, but you're afraid you'll never wake up. But I can't understand, even to-night, why men commit suicide. I'm sixty-three years old, a failure, with no friends, and nothing to live for, except just to live. I couldn't commit suicide.

"To-night it was awful. Well, you know how cold it is. I've been on the streets now for—let's see—eighteen hours solid. All you can do is to go into some saloon for a minute or two, but as soon as the barkeep sees you ain't going to buy—out you go! You can't blame the barkeeps. If they let us bums stay, there wouldn't be room in most of the saloons in New York for a man that wanted to buy a glass of beer.

"Lots of fellows try to get run in jail, because it's fairly warm there, anyway. But it's harder to get in jail even than you'd think. The cops are wise. I've never been in jail yet, and I don't want never to be."

"To-night I thought I couldn't stand it any longer. I saw the lights in a house over there"—a thumb indicated Gramercy Park—"and I couldn't help just bustin' my way in. It was a little hotel, or club, or something. I was pretty near out of my head. I got in all right, but a couple of men rushed me out."

After hot vegetable soup came corned-beef hash, poached eggs, fried potatoes, and hot coffee. And then Smith and his new friend boarded a surface car for the Bowery.

There is a squalid little hotel in the roar and shadows of the Third Avenue "El," where, in the palmy days when truck-driving was good, Smith's friend made his home. The lobby is on the second floor—a dingy, greasy, tobacco-ridden room.

Smith told his friend that he was going to "put him up for the night." He paid the clerk for a week's board and lodging (for which he secured a receipt), but he told the clerk not to inform the old man he was to be a week-long guest until breakfast the following morning.

His friend cried when Smith shook his hand and said good-night. All he could find words for was: "God bless you, sir, for what you've done to-night!"

Smith went back to the club on Gramercy Park, where, around a big wood fire in a big comfortable room, a group of men were toasting their toes.

The conversation veered to the weather, and Smith, after a while, quietly related his adventure with the old man who had lost his job.

One of the toe-toasters was a newspaper reporter. And that is how this true, commonplace little incident of a bitter cold night came to be retold.

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COMMERCE AND FINANCE

A WEEKLY ARTICLE BY THEODORE H. PRICE

NOTES UPON CURRENT ECONOMIC NEWS AND BOOKS

REVIVALS AND BUSINESS

A RELIGIOUS revival is a subject that hardly seems germane to commerce and finance, but it has, nevertheless, an economic relationship.

Many years ago an old merchant, long since dead, who in the course of an earnest Christian life had passed through the panics of 1837, 1857, and 1873, said to me that what was then called a religious revival generally followed a period of commercial depression and was pre-essential to a sound recovery in business. He believed that panics and distress were chiefly caused by extravagance and waste that were essentially immoral, and that a reawakening of the moral nature was necessary to re-establish the self-restraint which makes for economy, thrift, and correct living. On this theory he correlated the panic of 1837 with the great period of religious activity known as the Oxford or Tractarian movement; the panic of 1857 with the era during which the preaching of Henry Ward Beecher and others inspired men to fight for the abolition of slavery; and the financial distress of 1873 with the contemporary Moody and Sankey revival, the force of which was not spent until eight or ten years later.

Within the last few months similar manifestations of religious activity have become noticeable. Those who read the newspapers closely will recall that in a number of cities practically the entire population has been induced to attend church on Sunday.

These reports have been followed by the story of Billy Sunday's revival in Pittsburgh, which is just commencing to gain National attention. For eight weeks this picturesque evangelist, formerly a baseball player, has been holding three services a day in the unemotional Iron City, and is reported to have stirred it from top to bottom. A special tabernacle holding 15,000 persons, built for him, was overcrowded at every meeting, and over 30,000 persons are said to have "professed conversion."

One evening ten policemen, detailed to keep order in the tabernacle, went forward in a body, declaring themselves converted. Mr. Sunday always fights the saloons fiercely, and many of them have closed, while most of them are deserted. Arrests for crime and violence show a corresponding decrease. A reporter of the New York "Sun," writing from Pittsburgh, says that "a stranger in the city notices that everybody seems bent upon doing a little kindness to the persons he meets," and that a curious effect of the meetings has been that, instead of promoting antagonism between the Protestants and Roman Catholics, it has brought them together. The movement was promoted by the Presbyterians, but a wealthy Catholic gave the committee a check signed in blank, with authority to fill it out for any amount needed.

It is now suggested that Mr. Sunday should transfer his activities to New York. If he does this, and succeeds in stirring this city as he did Pittsburgh, the result will probably be a Nation-wide recrudescence of the spirit of religious fervor which adversity generally reawakens. I leave to others a discussion of the question naturally suggested as to the comparative value of materialistic philosophy and the Christian religion in time of trouble. The point I desire to make is that if the old merchant's theory as to the sequence of business depressions, religious revivals, and sound recovery is correct, then this Billy Sunday movement and other similar manifestations are salutary and should be encouraged. It is undoubtedly true that the dearth of capital which has resulted in the present commercial depression is largely, if not entirely, a consequence of the wanton extravagance of the past ten or fifteen years. The false standards that have been set up and the power that wealth exerts are not so much due to the Money Trust as to our trust in money. The frivolity that has led old men and matrons to make themselves ridiculous in the cabarets and dance-halls established in nearly every city of the Union does not comport with the seriousness and concentration necessary to substantial success. All these things evi-

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dence a disregard of our responsibility for the future, and if Billy Sunday, or any one else, can, by exhortation or example, bring the American people back to simplicity in living, love of home, and the self-respect that comes only through self-restraint, the economic value of the work will be second only to its moral value.

HEALTH AND WEALTH

The relation between health and wealth is the most important of all the equations that must be worked out in the study of economics, but only recently have we commenced to appreciate how profoundly the individual and society are affected by it. The late Price Collier, in his interesting book "The West in the East," says:

> It is stated that the average length of human life in European countries, in the sixteenth century, was between 18 and 20 years. To-day it is between 40 and 50 years. The death rate has fallen as man's life has lengthened. In the seventeenth century the mortality rate of London was 50 per 1,000 of population; to-day it is 15 per 1,000 of population. In the year 1700 the mortality rate of Boston was 34 per 1,000; to-day it is 19. Within a century, London, Berlin, and Munich have cut their death rates nearly in half. In Sweden, the home of school gymnastics and government-controlled hygiene, the average length of life is 50 years for men and 53 years for women, the highest in the world. In the United States, the average lifetime is 44 for men and 46 for women. In India the average lifetime for men is 23, and for women 24. It is almost impossible to calculate the enormous increase of population that these figures suggest; and the increase of the number of men and women in the world of mature years, whose demands upon life for food, for occupation, for education, for amusement, and for governing are the demands of grown-up people. This single problem of the increase of the grown-up population of the world in the last 200 years is never mentioned; and yet it is outstanding, ever growing, all-else-including, and as much more over-shadowing all other problems of civilization as the sky compared to tents.

Dr. Herman M. Biggs, for many years Chief Medical Officer of the Board of Health of New York City, and now at the head of the Department of Public Health of the State of New York, in a recent address at Cornell University said:

> In the Borough of Manhattan in New York City in 1866 the death rate was 36 per 1,000. This means that out of every 1,000 persons living at the commencement of the year, 36 were dead at the end of the year. By 1913 the mortality had been reduced to 14 in the 1,000.
>
> In the seventeenth and eighteenth centuries, as far as known, the average death rate in civilized countries is estimated to have been from 50 to 75 per 1,000.
>
> From 10 to 15 cases of somewhat serious illness resulting in at least temporary recovery are supposed to occur in a community for each death. Taking the lower estimate as the basis of calculation, we see that not only were there 22 less deaths per 1,000 of the population in 1913 than 1866, but that there were 220 less cases of serious illness in each 1,000 of the population than there were forty-seven years ago.
>
> If these figures be applied to the population of New York City to-day, the result is really startling.
>
> The actual deaths in 1912 were 73,008, but if the death rate of 1866 had obtained the deaths would have numbered 188,000 and 1,150,000 more cases of serious illness would have occurred in the city than did occur.
>
> It is impossible to translate into figures the economic saving that this change has made. The value of the lives saved, the decrease in wages lost because of illness, to say nothing of the impaired efficiency and the mental and physical anguish caused, would amount to an immense sum.

It is only when we consider such statements as these in conjunction with the simple proposition that *wealth is always and only the result of human labor* that we commence to grasp their economic significance.

Men must work to accumulate wealth. They cannot work while they are sick or after they are dead, and if the progress of scientific hygiene has added only five years to the working life of each individual born, the wealth-producing capacity of the community is increased by a sum so immense as to be unthinkable.

It is this thought which affords a substantial basis for optimism in the face of the increased cost of living and the enormous public debt with which the present generation is burdening itself and posterity. Economically, the situation would be cheerless were it not for the hope which the science of preventive medicine gives us that through a greater longevity of vigor men will be able so to increase their earnings that they can meet the ever-growing demands of civilization. It is, however, important that we should not allow the reassurance which this thought engenders to blind us to the fact that it is only in the larger cities that such wonderful progress has been made in what may be called hygienic efficiency. In the rural districts the problem has been much more difficult to deal with, and such statistics as are available show but little reduction in the country death rate during the past twenty-five years. When this relatively high mortality is considered in connection with the decreasing proportion of our popu-

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lation that remains in the rural districts, there is less reason for complacency.

In 1890 the rural population of the United States was 40,227,491 and the urban 22,720,223. In 1910 the figures were 49,348,883 and 42,623,383 respectively. In twenty years the urban population had increased 20,000,000, or 91 per cent, and that of the rural districts only 9,000,000, or 23 per cent.

In the same interval the hygienic efficiency and requirements as to consuming food of the city population have been marvelously increased, while those of the country people have remained almost stationary.

The result has been not only to accelerate the cityward tendency of the population, but to leave those who live in the cities dependent upon the smaller and less efficient portion of the community for food. It is altogether probable that in the aggregate the economic energy of our urban population to-day exceeds that of the rural population, whereas in 1890 it was as one to two.

The consequence is a situation entirely out of balance in so far as agricultural production is concerned, and the greatest need of the day is a scientific application of measures which will make life in the country more healthful and attractive. Congressional appropriations for the year 1914 include $19,000,000 for the Department of Agriculture, $400,000 of which is to be spent in the eradication of the cattle tick, and $200,000 upon the Bureau of Agricultural Forecasts or Crop-Guessing, but not a dollar is provided for the conservation of human health and life. The omission provides an opportunity that might almost bring a new political party into existence if it were embraced with an unselfish enthusiasm for the public good.

A FAILURE IN SELLING BONDS DIRECTLY

Selling bonds directly to the public seems to be a failure except in times of panic, when both cupidity and patriotism can be appealed to.

The Treasurer of the State of Massachusetts, F. W. Mansfield, during his campaign for election, pledged himself to sell the bonds of the State directly to the public without the intervention of bankers. Accordingly, he offered an issue of $6,325,000 on the 13th of February. In ten days he had disposed of less than half the issue, and the sale seems likely to be a failure. He offered to supply "baby bonds" for $100, $200, and $300, but sold only $90,000 of them. The bonds were offered on attractive terms as compared with the rate of interest paid by savings banks and other equally secure and non-taxable investments, but no effort to sell was made other than an advertisement of the opportunity to buy. The incident is instructive as showing the necessity for salesmanship in disposing of even the best goods. It is a practical answer from his own community to Mr. Brandeis's recent attack upon the bankers who make a legitimate profit out of dealing in securities.

A BOOK ON TAXATION [1]

Mr. Mathews's book is described as "a study of the effects caused by the taxation of the staples of life and industry in the distortion of the entire process of wealth, production, and distribution." Apparently it has been written to sustain the theory that, as "rent [*i.e.*, ground rent], profit, and wages" are the only forms of economic revenue, they are the only legitimate subjects of taxation. The subject is an immense one. A presentation of it that will convince without wearying the reader is difficult.

Mr. Mathews has attempted to enliven his work by numerous excursions into the religions and philosophies of Lão-tsze, Confucius, Brahma, Buddha, Zoroaster, Egypt, India, Mohammed, Socrates, Plato, Aristotle, Cleanthes, Anaximander, Pythagoras, Xenophanes, Parmenides, Thales, Anaximenes, Heraclitus, Empedocles, Democritus, Anaxagoras, Protagoras, Epicurus, Zeno, Pyrrho, Christ, Adam Smith, Darwin, Spencer, and Huxley. These incidental studies are most entertaining, but they so distract attention from and interrupt the continuity of the main argument that one puts the book down without any intensified conviction upon the subject of taxation. Mr. Mathews is evidently a scholar but not a logician. In the chapter upon railways he suggests the creation of a holding company to control the railways in the interest of the public. Dividends on these shares are to be guaranteed by the Government, which could exchange them to purchase the stocks of the chief railways and operate them so as to produce a sufficient revenue to meet the guaranteed dividend.

With a diffidence that is somewhat amusing, the author says, "This plan has at least the advantage of not being a demonstrated failure,"

[1] Taxation and the Distribution of Wealth. By Frederic Mathews. Doubleday, Page & Co., New York. $2.50.

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which is also true of many other things he advocates. Most of them are, however, revolutionary of many usages that are as old as society, and their adoption will only be secured by more positive enthusiasm than Mr. Mathews permits himself to express.

A BOOK ON THE NEW BANK ACT[1]

After a somewhat hurried reading of Mr. Conway's book, it may be said that it supplies what many men want. This is high praise. There are some 27,000 banks and private bankers in the United States. All of them are more or less directly affected by the operation of the Federal Reserve Bill. Very few of the men who are charged with the conduct of these banks have been able to acquaint themselves with the details of the new law so that they can answer for themselves the innumerable questions which will come up in connection with the readjustments that it will compel. Messrs. Conway and Patterson have attempted to anticipate most of these questions and to answer them. No one can say whether their answers will accord with the views of the Federal Reserve Board, who will be the ultimate authority upon doubtful points; but the book gives every evidence of careful and intelligent study and evokes admiration because of the short time in which it has been produced. It is, moreover, readable, and makes a somewhat dry subject interesting. As examples of its quality in this respect the following question and answer may be quoted:

"WILL CHEAP MONEY FOR STOCK EXCHANGE USES BE AVAILABLE?"

It is impossible to answer this question authoritatively. It would appear that the day of exceedingly cheap money for stock exchange uses is past. Without a law which renders an enormous amount of money idle, thereby enabling the New York banks to attract it to New York with a two per cent interest rate, it will be impossible for the New York institutions to offer call money at an average rate of about two and one-half per cent, as has been the case within the last ten years.

The stock speculator and the investment banker who are carrying securities until such time as they can dispose of them will have to pay rates of interest approximating those which have prevailed abroad and which are determined with reference to the rates paid by commercial borrowers. Call loans will probably be offered at attractive rates in limited amounts, but the great majority of money will probably be secured at interest rates of four per cent or over. Certain New York bankers expressed the opinion before the Congressional Committees that it would be impossible to deprive New York of funds for stock exchange uses so long as the borrowers were willing to pay a good rate of interest. A comparatively small number of New York City banks now have funds of 15,000 other banks. These gentlemen predicted that these institutions could induce the out-of-town banks to rediscount commercial paper at, say, three or four per cent, which might then be the rate, forwarding the proceeds to New York to be loaned out upon stock exchange collateral at, say, five or six per cent. The profits to be derived from this transaction are, in their opinion, so obvious as to tempt many bankers. Such a practice, if it should develop to any large degree, would be unfortunate, for by indirection it would work an evasion of the plain intent of the Act.

I quote also an interesting paragraph on another important point described as,

"THE VITAL PROBLEM BEFORE THE COUNTRY"

The final result of the Federal Reserve Act will be to take between $420,000,000 and $672,000,000 of loanable funds out of their present channels and sequester them in the vaults of the eight to twelve Federal reserve banks. So far as the citizens of this country are concerned, as has been elsewhere pointed out, this money can get back into the channels of trade only through rediscounting by member banks or by the purchase of domestic or foreign drafts on the open market. Every merchant realizes that the draft is an unpopular method of financing business in this country. To be drawn upon is, in many sections, a sign of weakness, and betokens the failure of the debtor to pay his debt when it becomes due. The great majority of this capital can be placed at the service of our banks only through rediscounts.

We have seen that a large proportion of the banking fraternity has a decided opinion against rediscounting. They hold it to be bad banking. Will it be possible completely to change their opinions and to make rediscounting popular in the space of a few months? It can readily be seen that the answer to this question determines to a large degree the success of the new Act. Nothing more clearly demonstrates the power of the banks of this country to make the Act a failure, and to do so unconsciously and without premeditation. We have seen that to a considerable degree rediscounts will be necessary, and it is to be hoped that the example of the big central reserve city banks will prove efficacious and that a reasonable amount of rediscounting will occur in order to liberate the funds which are tied up in the vaults of the Federal reserve banks.

Bankers should buy and read this book and thereafter keep it on their office desks. They will find it both stimulating and helpful.

[1] Operation of the New Bank Act. By Thomas Conway, Jr., Ph.D., Assistant Professor of Finance, and Ernest M. Patterson, Ph.D., Instructor in Finance, both of the Wharton School of Finance and Commerce, at the University of Pennsylvania. The J. B. Lippincott Company, Philadelphia. $2.

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BY THE WAY

Of 431 American Rhodes scholars who have left Oxford University to take up their life-work, only eleven have remained in England, according to the recent report of the Rhodes Scholarship Trust. The fear that Great Britain would absorb the American students is thus seen to be unfounded.

President Wilson, answering an editor who feared that the President's private secretary does not allow his chief to see anti-Catholic letters, writes: "I beg leave to assure you that the impression that any part of my correspondence is withheld from me in any circumstances by my secretary on account of religious predilections on his part is absurdly and utterly false."

Rudyard Kipling, in an address before the Royal Geographical Society on "Travel" recently, said he was looking forward confidently to sky travel. "The time is not far off," he is quoted as saying, "when a traveler will know and care just as little whether he is over land or sea as to-day he knows or cares whether a steamship is over forty fathoms or over Tuscarora deep."

"A Woman Homesteader," who writes entertainingly in the "Atlantic Monthly" of her experiences in the West, says that she got up early one morning in camp because the cook had announced "cockle-berries" and antelope steak for breakfast. She finished her steak and an egg and told the cook she was ready for those delicious cockle-berries. The cook was indignant, and said that she had had her share. "'Why, Herman, I haven't had a single berry,' I said. Then such a roar of laughter. Mr. Watson gently explained to me that eggs and cockle-berries were one and the same."

The sale of bichloride of mercury is hereafter to be restricted in New York City. It is to be obtained only on a physician's prescription, and must be put up only in tablets of a distinctive form and color, each tablet to be labeled "Poison."

A paragraph in the "Montreal Herald" illustrating Canadian boy nature will waken responsive echoes on this side of the border: "'Ma! ma!' Willie sobbed. 'Do my ears belong to my neck or my face?' 'Why, what is the matter?' was the temporizing reply. 'Well, you told Mary to wash my face, and she's washing my ears too!'"

A friend comments on the picture called "Working on the Income Tax Puzzle" in The Outlook of February 14: "I would amend the explanatory note to make it read: 'Courteous young women . . . try to make the application of the law clear to all inquirers, even to men discourteous enough to keep their hats on, as shown in the picture.' The amendment is accepted, and no doubt the men referred to would vote for it themselves if thus reminded of their breach of etiquette. Americans are never intentionally discourteous; but we are a busy people, and in the rush of business sometimes forget the amenities.

The Pennsylvania Railroad announces that it conducted its enormous passenger business of the year 1913 without a train accident causing the loss of life of a single passenger. This is a prouder record than even its service or the speed of its trains.

Apropos of the recent snow blockade of New York streets a friend makes this suggestion: The sides of the streets are now piled high with snow shoveled from the sidewalks; this restricts traffic to the center of the street till it is laboriously carted away. Instead of permitting this, allow the snow on the sidewalks to be shoveled only to the *curb;* vehicles can then use the whole street, snow-carts can come to the curb and remove the snow on the sidewalks, and the only inconvenience will be the temporary narrowing of the walk for foot passengers.

Queen Liliuokalani, ex-ruler of Hawaii, recently re-entered her old-time palace, now the capital of the Territory, for the first time since her dethronement. The Queen is said to have remarked, with tears in her eyes, that she rejoiced in the present prosperity of her former kingdom.

Robert Louis Stevenson, according to Mr. S. S. McClure, had no hallucinations about his own infallibility as a stylist, and did not object to editorial revision of his "copy." "All of the really first-rate writers I have known," says Mr. McClure, "have been similarly open-minded. . . . To a man of large creative powers, the idea is the thing; the decoration of phrase is a very secondary matter."

Mr. Stevenson's widow, whom Mr. McClure speaks of as a true helpmate to her husband, recently died in California. She had lived in retirement since the death of Mr. Stevenson in 1894.

The amenities of a temperance campaign in Newark, New Jersey, are exhibited in two advertisements in the Newark "News." The first was in the interest of the breweries:

> **Alexander the Great drank beer and conquered the world before he was 32. Perhaps he could have done it sooner if he had not drunk beer, but you'd better take no chances.**

A day or two later the temperance party reprinted the above advertisement with this effective adjunct underneath:

> **Alexander the Great died in a drunken debauch at the age of 33. You'd better take no chances.**
>
> **Anti-Saloon League of New Jersey.**

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